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Washington, Friday, October 5, 1945

The President

EXECUTIVE ORDER 9636

OBSERVANCE BY GOVERNMENT AGENCIES OF HOLIDAYS FALLING ON SUNDAYS

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

Section 1. Whenever the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the eleventh day of November, or the twenty-fifth day of December, falls on a Sunday, all executive departments, independent agencies, and Government-owned or Government-controlled corporations, including their field services, shall be closed to public business on the following Monday.

Section 2. Whenever any of the above-named days falls on a Sunday, all employees of the executive departments, independent agencies and Government-owned or Government-controlled corporations who would ordinarily be excused from work on any of the above-named days if falling on a day other than a Sunday shall be excused from work on the following Monday.

Section 3. In administering the provisions of law relating to pay and leaves of absence, the Monday referred to in section 2 of this order shall be treated as a holiday, subject to the following exceptions:

(a) In the case of employees whose regularly scheduled basic workweek includes both the Sunday and the Monday referred to in section 2 of this order, either day, as determined by the head of the department, agency, or corporation concerned, but not both days, shall be treated as a holiday.

(b) In the case of employees whose regularly scheduled basic workweek includes the Sunday but not the Monday referred to in section 2 of this order, only the Sunday shall be treated as a holiday.

Section 4. This order supersedes Executive Order No. 1076 of May 22, 1909.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 3, 1945.

[F. R. Doc. 45-18470; Filed, Oct. 4, 1945;
11:00 a. m.]

EXECUTIVE ORDER 9637

MEDAL FOR MERIT

By virtue of and pursuant to the authority vested in me by section 2 of the act of July 29, 1942, 56 Stat. 662, I hereby prescribe the following rules and regulations for the award of the decoration of the Medal for Merit, created by the said act:

1. The decoration of the Medal for Merit shall be awarded only by the President of the United States or at his direction. Awards of the Medal for Merit may be made to such civilians of the nations prosecuting the war under the joint declaration of the United States and of other friendly foreign nations as have distinguished themselves by exceptionally meritorious conduct in the performance of outstanding services in the furtherance of the prosecution of the war since the proclamation of an emergency by the President on September 8, 1939. Awards of the Medal for Merit made to civilians of foreign nations shall be for the performance of an exceptionally meritorious or courageous act or acts in furtherance of the war efforts of the United Nations.

2. There is hereby established the Medal for Merit Board, which shall be composed of three members appointed by the President, one of whom shall be designated by the President to act as Chairman of the Board.

3. The Medal for Merit Board shall receive and consider proposals for the award of the decoration of the Medal for Merit and submit to the President the recommendations of the Board with respect thereto. In the case of proposed awards to civilians of foreign nations, such recommendations shall include the recommendations of the Secretary of State.

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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4. The Medal for Merit Board is authorized to prescribe, with the approval of the President, such rules and regula-

tions not inconsistent with the provisions of this order as may be necessary to accomplish its purposes.

5. Executive Order 9331 of April 19, 1943, and the Medal for Merit Board created thereby, are superseded by this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 3, 1945.

[F. R. Doc. 45-18471; Filed, Oct. 4, 1945; 11:03 a. m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

TRANSFER OF RESPONSIBILITY TO DIRECTOR OF LABOR FOR ADMINISTRATION AND SUPERVISION OF USE AND EXPENDITURE OF UNEXPENDED BALANCES OF FUNDS HERETOFORE GRANTED TO CERTAIN AGRICULTURAL WORKERS' HEALTH ASSOCIATIONS

1. Effective immediately the responsibility for the administration and supervision of the affairs of the agricultural workers' health associations heretofore vested in the Administrator of the Farm Security Administration is hereby transferred to the Director of Labor, Office of Labor, insofar as such administration and supervision relate to the use and expenditure by such associations of the unexpended balances of funds heretofore granted to such associations by the Farm Security Administration, or so much thereof as may be necessary and desirable, in the furnishing and supplying of health and medical services to agricultural workers and their families eligible therefor, pursuant to the Farm Labor Supply Appropriation Act, 1944 (58 Stat. 11), as extended and renewed by the First Supplemental Appropriation Act, 1945 (58 Stat. 853), and any similar authorization subsequently enacted by the Congress. The associations are as follows:

Atlantic Seaboard Agricultural Workers Health Association, Inc.
Migratory Labor Health Association.
Midwestern Agricultural Workers' Health Association, Inc.
Texas Farm Laborers Health Association.
Agricultural Workers Health and Medical Association.
Agricultural Workers' Health Association.

2. The Director of Labor may make such delegations of the authority and responsibilities contained herein as he may deem necessary.

Issued this 4th day of October 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-18486; Filed, Oct. 4, 1945; 11:13 a. m.]

Chapter I—Office of Marketing Services (Standards, Inspections, Marketing Practices)

Subchapter K—Federal Seed Act

PART 201—FEDERAL SEED ACT REGULATIONS
AMENDMENTS TO RULES AND REGULATIONS

Correction

In Federal Register Document 45-14588, appearing at page 9950 of the issue for Saturday, August 11, 1945, in Table 2 under § 201.58 the Substrata designation for "Endive—Cichorium endivia" should read "P, TS" and the Final count for "Parsley—Petroselinum hortense" should be "28".

Chapter III—Bureau of Entomology and Plant Quarantine

[Quarantine 45]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE

The principal changes made by this revision of the quarantine and regulations are (1) to redefine as "generally infested" the regulated area formerly classified as "lightly" and "generally" infested, thus eliminating the classification of "lightly infested area"; (2) to add to the regulated area part of eastern New York, additional areas of Connecticut and Vermont, and that part of Massachusetts not heretofore included in the regulated area, these additional areas to be known as the "suppressive area"; (3) to redefine the boundary of the area regulated on account of the brown-tail moth; and (4) to prohibit the unauthorized movement of live gypsy and brown-tail moths in any stage of development, and for this purpose, to provide for inspection of articles not listed as regulated and, if found infested, to prevent their interstate movement until freed of infestation.

The Secretary of Agriculture has determined that it is necessary further to revise the gypsy moth and brown-tail moth quarantine and regulations supplemental thereto, which were last revised effective September 29, 1938, in order to place under regulation part of the State of New York and to extend the regulated area in the States of Connecticut, Massachusetts, and Vermont due to the discovery of substantial infestations of the gypsy moth therein; and to incorporate into the quarantine and regulations, additional modifications as hereinafter set forth. The quarantine and regulations are therefore hereby revised to read as follows:

GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE

Sec.
301.45 Notice of quarantine.

RULES AND REGULATIONS

301.45-1 Definitions.
301.45-2 Regulated areas.
301.45-3 Articles under regulation.
301.45-4 Conditions governing the interstate movement of regulated articles.

Sec.

- 301.45-5 Conditions governing the issuance of certificates and permits.
 301.45-6 Inspection and disposition.
 301.45-7 Assembly of regulated articles for inspection.
 301.45-8 Marking.
 301.45-9 Cleaning of freight cars, trucks, boats, and other vehicles and containers.
 301.45-10 Shipments for experimental and scientific purposes.

AUTHORITY: §§ 301.45 to 301.45-10, inclusive, issued under sec. 8 of Plant Quarantine Act of Aug. 20, 1912, as amended, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161, and Insect Pest Act of Mar. 3, 1905; 7 U.S.C. 141, 143.

GYPSY MOTH AND BROWN-TAIL MOTH
QUARANTINE

§ 301.45 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended, and having held the public hearing required, thereunder, the Secretary of Agriculture quarantines the States of Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont, and under authority contained in the aforesaid Plant Quarantine Act and the Insect Pest Act of March 3, 1905, the Secretary of Agriculture prescribes regulations to prevent further spread of the gypsy moth (*Porthetria dispar* L.) and the brown-tail moth (*Nygmia phaeorrhoea* Donovan), injurious insects of foreign origin not widely distributed within and throughout the United States. Hereafter the following articles shall not be transported by any person, firm, or corporation from any quarantined State into or through any other State or Territory or District of the United States, under conditions other than those prescribed herein or in the regulations supplemental hereto, viz: (a) Live gypsy moths or brown-tail moths in any stage of development; (b) trees, shrubs, plants, and vines, both deciduous and evergreen, having persistent woody stems, and parts thereof, including Christmas trees; (c) timber products; (d) stone and quarry products; and (e) any other commodities or articles when found on inspection to be infested with the aforesaid insects in any of their stages: *Provided*, That the restrictions of this quarantine and of the regulations supplemental hereto may be limited to such areas, within the quarantined States, as are now or may hereafter be designated by the Secretary of Agriculture as regulated areas, adequate, in his judgment, to prevent the spread of the gypsy and brown-tail moths, except that any such limitation shall be conditioned upon the affected State or States providing for and enforcing the control of the intrastate movement of the regulated articles under the conditions which apply to their interstate movement under provisions of the Federal quarantine regulations, currently existing; and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestations: *And*

provided further, That whenever in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulation, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation will be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

RULES AND REGULATIONS

§ 301.45-1 *Definitions.* For the purpose of this subpart the following words, names, and terms shall be construed, respectively, to mean:

(a) *Gypsy moth.* The insect known as the gypsy moth, *Porthetria dispar* L., in any stage of development.

(b) *Brown-tail moth.* The insect known as the brown-tail moth, *Nygmia phaeorrhoea* Donovan, (formerly referred to as *Euprocitis chrysorrhoea*), in any stage of development.

(c) *Infestation.* This term refers to the presence of either the gypsy moth or the brown-tail moth.

(d) *Regulated area.* Those parts of the quarantined States which are considered to be infested with the gypsy moth or the brown-tail moth, and to which this subpart apply.

(e) *Suppressive area.* That part of the regulated area on the western periphery in which suppressive measures are co-operatively carried out with the objective of eradicating infestations in this area.

(f) *Inspector.* An inspector of the United States Department of Agriculture.

(g) *Moved, movement.* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from or between the regulated parts of quarantined States into or through any other State or Territory or District.

(h) *Certificate.* A valid form certifying the eligibility of products for interstate movement under the requirements of this subpart.

(i) *Limited permit.* A valid form authorizing the restricted movement of regulated articles from a regulated area to a specified destination for specified processing, handling, or utilization.

(j) *Dealer-carrier permit agreement.* An approved document executed by persons or firms covering the restricted movement, processing, handling, or utilization of regulated articles not eligible for certification for interstate movement.

§ 301.45-2 *Regulated area.* The following area is hereby designated as regulated:

Connecticut. Counties of Hartford, Middlesex, New London, Tolland, and Windham; towns of Barkhamsted, Canaan, Colebrook, Cornwall, Goshen, Harwinton, Kent, Litchfield, Morris, New Hartford, Norfolk, North Canaan, Plymouth, Salisbury, Sharon, Thomaston, Torrington, Warren, and Winchester, in Litchfield County; towns of Branford, Guilford, Madison, Meriden, North Branford, North Haven, Waterbury, and Wolcott, in New Haven County.

Maine. Counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, and York; towns of Avon, Berlin, Carthage, Chesterville, Crockertown, Dallas Plantation, Farmington, Freeman, Greenvale, Industry, Jay, Jerusalem, Kingfield, Madrid, Mount Abraham, New Sharon, New Vineyard, Perkins, Phillips, Rangeley Plantation, Redington, Salem, Sandy River Plantation, Strong, Temple, Washington, Weld, and Wilton, and Townships D and E, in Franklin County; all of Hancock County except Plantations 3, 4, 35, and 41; all that part of Oxford County south and southeast of and including the towns of Magalloway and Richardsontown; towns of Alton, Argyle, Bradford, Bradley, Carmel, Charleston, Clifton, Corinna, Corinth, Dexter, Dixmond, Eddington, Etna, Exeter, Garland, Glenburn, Grand Falls Plantation, Greenbush, Greenfield, Hampden, Hermon, Holden, Hudson, Kenduskeag, Levant, Milford, Newburgh, Newport, Orono, Orrington, Plymouth, Stetson, Summit, and Veazie, and cities of Bangor, Brewer, and Old Town, in Penobscot County; towns of Abbott, Atkinson, Dover, Foxcroft, Guilford, Kingsbury Plantation, Parkman, Sangerville, and Wellington, in Piscataquis County; all that part of Somerset County south and southeast of and including Highland and Pleasant Ridge Plantations, town of Moscow, and Mayfield Plantation; towns of Beddington, Cherryfield, Columbia, Deblois, Harrington, Millbridge, and Steuben, and Plantations 18 and 24, in Washington County.

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Carroll, Cheshire, Grafton, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; all that part of Coos County lying south of and including the towns of Stratford, Odell, Dummer, and Cambridge.

New York. Counties of Rensselaer, Saratoga, Schenectady, and Washington; all of Albany County except the town of Rensselaerville; all of Columbia County except the towns of Clermont, Germantown, Greenport, and Livingston, and the city of Hudson; towns of Amsterdam, Northeast, and Pine Plains, in Dutchess County; town of Chesterfield, Crown Point, Essex, Moriah, Ticonderoga, Westport, and Willsboro, in Essex County; towns of Broadalbin, Johnstown, Mayfield, Northampton, and Perth, and the cities of Gloversville and Johnstown, in Fulton County; towns of Coxsack and New Baltimore, in Greene County; towns of Amsterdam, Florida, Glen, and Mohawk, and the city of Amsterdam, in Montgomery County; and the towns of Bolton, Caldwell, Hague, Luzerne, Queensbury, Stoney Creek, Thurman, and Warrensburg, and the city of Glens Falls, in Warren County.

Rhode Island. The entire State.

Vermont. Counties of Addison, Bennington, Orange, Rutland, Windham, and Windsor; towns of Barnet, Danville, Groton, Kirby, Peacham, Ryegate, St. Johnsbury, and Waterford, in Caledonia County; towns of Buels Gore, Charlotte, Colchester, Essex, Hinesburg, Huntington, Jericho, Richmond, St. George, Shelburne, South Burlington, and Williston, and the cities of Burlington and Winooski, in Chittenden County; towns of Concord, Granby, Guildhall, Lunenburg, Maidstone, and Victory, in Essex County; town of Elmore, in Lamoille County; towns of Barre, Berlin, Cabot, Calais, East Montpelier, Fayston, Marshfield, Middlesex, Mont-

pellier, Moretown, Northfield, Plainfield, Roxbury, Waitsfield, Warren, Woodbury, and Worcester, in Washington County.

Subdivision of areas. The above regulated area is divided into three parts classified as (a) The suppressive area, (b) The generally infested area, and (c) The brown-tail moth area. These areas are defined as follows:

(a) *The suppressive area* (new area placed under regulation):

Connecticut. Towns of Canaan, Cornwall, Goshen, Kent, Litchfield, Morris, Norfolk, North Canaan, Salisbury, Sharon, and Warren in Litchfield County.

Massachusetts. County of Berkshire; and the town of Monroe, in Franklin County.

New York. Counties of Rensselaer, Saratoga, Schenectady, and Washington; all of Albany County except the town of Rensselaerville; all of Columbia County except the towns of Clermont, Germantown, Greenport, and Livingston, and the city of Hudson; towns of Amsterdam, Northeast, and Pine Plains, in Dutchess County; towns of Chesterfield, Crown Point, Essex, Moriah, Ticonderoga, Westport, and Willsboro, in Essex County; towns of Broadalbin, Johnstown, Mayfield, Northampton, and Perth, and the cities of Gloversville and Johnstown, in Fulton County; towns of Coxsack and New Baltimore, in Greene County; towns of Amsterdam, Florida, Glen, and Mohawk, and the city of Amsterdam, in Montgomery County; and the towns of Bolton, Caldwell, Hague, Luzerne, Queensbury, Stoney Creek, Thurman, and Warrensburg, and the city of Glens Falls in Warren County.

Vermont. County of Addison; towns of Arlington, Bennington, Dorset, Glastonbury, Manchester, Pownal, Rupert, Sandgate, Shaftsbury, Stamford, Sunderland, and Woodford, in Bennington County; towns of Buels Gore, Charlotte, Colchester, Essex, Hinesburg, Huntington, Jericho, Richmond, St. George, Shelburne, South Burlington, and Williston, and the cities of Burlington and Winooski, in Chittenden County; towns of Benson, Brandon, Castleton, Chittenden, Clarendon, Danby, Fair Haven, Hubbardton, Ira, Mendon, Middletown Springs, Pawlet, Pittsford, Poultny, Proctor, Rutland, Sudbury, Tinmouth, Wells, West Haven, and West Rutland, and the city of Rutland, in Rutland County; and the towns of Fayston and Warren, in Washington County.

(b) *Generally infested area.* All of the remainder of the regulated area, exclusive of the suppressive area indicated above, constitutes the generally infested area.

(c) *Brown-tail moth area.* The area under regulation on account of the brown-tail moth is the same as that classified as the generally infested area.

§ 301.45-3 *Articles under regulation—*(a) *Prohibited movement.* The interstate movement of living gypsy moths or brown-tail moths, in any stage of development, whether moved independently or in connection with any other articles, is prohibited, except as provided in § 301.45-10 hereof.

(b) *Regulated movement.* (1) All timber products, manufactured or unmanufactured, including poles, piles, bark, pulpwood, lumber, excelsior, shavings, and sawdust. Manufactured wood products, such as furniture, containers, and similar articles, except when maintained under conditions of exposure to infestation are exempt from regulation.

(2) All trees, shrubs, plants, and vines, both deciduous and evergreen, having

persistent woody stems, and parts thereof, including Christmas trees, excepting seed and fruit other than cones.

(3) Stone and quarry products.

(4) Any other articles when found on inspection to be infested with the gypsy or brown-tail moths.

§ 301.45-4 *Conditions governing the interstate movement of regulated articles—*(a) *Movement from regulated area.* Unless exempted by administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine, regulated articles shall not be moved interstate from the regulated areas to or through any point outside thereof unless accompanied by a valid certificate or limited permit issued by an inspector authorizing such movement.

(b) *Movement from the generally infested area into the suppressive area.* Unless exempted by administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine, regulated articles shall not be moved interstate from the generally infested area into the suppressive area unless accompanied by a valid certificate or limited permit issued by an inspector authorizing such movement.

(c) *Movement interstate between points within the suppressive area.* The interstate movement of regulated articles between points within the suppressive area may be regulated by the Chief of the Bureau of Entomology and Plant Quarantine on his finding and giving notice thereof, in administrative instructions, that such action is necessary to prevent further spread of infestation therein.

§ 301.45-5 *Conditions governing the issuance of certificates and permits—*(a) *Certificates.* Certificates may be issued for the interstate movement of regulated articles under one or more of the following conditions: (1) When they have been inspected and found apparently free from infestation; (2) when they have been treated, fumigated, or processed by approved methods; or (3) when they have been grown, produced, manufactured, stored, or handled in such a manner that, in the judgment of the inspector, no infestation would be transmitted thereby: *Provided,* That subsequent to certification, the regulated articles will be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

(b) *Limited permits.* Limited permits may be issued for the movement of non-certified regulated articles to specified destinations for specified processing, handling, or utilization. Persons shipping, transporting, or receiving such articles may be required to enter into written dealer-carrier permit agreements to maintain such sanitation safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, processing, or subsequent movement of regulated products and the cleaning of cars, trucks, and other vehicles used in the transportation of such articles as may be required by the inspector. Failure to comply with condi-

tions of the agreement will result in its cancellation.

(c) *Cancellation of certificates or limited permits.* Certificates or limited permits issued under this subpart may be withdrawn or canceled by the inspector and further certification refused whenever in his judgment the further use of such certificates or permits might result in the dissemination of infestation.

§ 301.45-6 *Inspection and disposition.* Any car or other conveyance, any package or other container, and any article or thing, to be moved, which is moving, or which has been moved interstate from the regulated area, which contains, or which the inspector has probable cause to believe may contain, infestations of the gypsy moth or brown-tail moth, or articles or things regulated under this quarantine, may be examined by an inspector at any time or place. When articles or things are found to be moving or to have been moved interstate in violation of this subpart, the inspector may take such action as he deems necessary to eliminate the danger of dissemination of either the gypsy moth or brown-tail moth. If found to be infested such articles or things must be freed of infestation without cost to the Government, except that for inspection and supervision.

§ 301.45-7 *Assembly of regulated articles for inspection.* Persons intending to move interstate any of the articles covered by this subpart shall make application for certification as far in advance as possible and will be required to prepare and assemble materials at such points and in such manner as the inspector shall designate, so that thorough inspection may be made, or approved treatments applied. Articles to be inspected as a basis for certification must be free from matter which makes inspection impracticable.

The United States Department of Agriculture will not be responsible for any cost incident to inspection, treatment, or certification other than the services of the inspector.

§ 301.45-8 *Marking.* Every container of regulated articles intended for interstate movement shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside thereof a valid certificate (or limited permit) issued in compliance with this subpart: *Provided,* That (1) for lot freight shipments, other than by road vehicle, one certificate may be attached to one of the containers and another to the waybill, and for carlot freight or express shipments, either in containers or in bulk, a certificate need be attached to the waybill only and a placard to the outside of the car, showing the number of the certificate accompanying the waybill; (2) for movement by road vehicle, the certificate shall accompany the vehicle and be surrendered to consignee upon delivery of shipment.

§ 301.45-9 *Cleaning of freight cars, trucks, boats, and other vehicles and containers.* When, in the judgment of

the inspector, a hazard of spread of infestation is present, thorough cleaning of freight cars, other conveyances, and containers may be required before or after movement interstate to points outside the regulated areas.

§ 301.45-10 *Shipments for experimental and scientific purposes.* Regulated articles may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag issued by the Bureau of Entomology and Plant Quarantine.

This revision of the quarantine and regulations shall be effective on and after October 10, 1945, and shall supersede the quarantine and regulations promulgated September 28, 1938.

Done at the city of Washington this 4th day of October, 1945.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

APPENDIX PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended, provides that any persons who shall violate any of the provisions of this quarantine or regulations pursuant thereto shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500, or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.

FIELD HEADQUARTERS OFFICE

Applications for certificates or limited permits or for further information may be made to the headquarters office of the Division enforcing this quarantine, addressing Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, 503 Main Street, East Orange, N. J., telephone Orange 3-3464, or the nearest inspector.

[F. R. Doc. 45-18482; Filed, Oct. 4, 1945; 11:13 a. m.]

[B. E. P. Q.—Q. 37]

PART 319—FOREIGN QUARANTINE NOTICES— MODIFICATION OF NURSERY STOCK, PLANT, AND SEED QUARANTINE REGULATIONS

§ 319.37-2d *Seeds of Hibiscus esculentus* may be entered only under permit. It has been determined by the Secretary of Agriculture that okra (*Hibiscus esculentus*) seed may be infested with the pink bollworm (*Pectinophora gossypiella* Saund.), an insect established in only a limited area of this country, but present in most commercial cotton-growing areas of the world. *H. esculentus* seed are now admitted from foreign countries without inspection in accordance with the provisions of § 319.37-2 (Regulation 2 of the Rules and Regulations Supplemental to Nursery Stock, Plant, and Seed Quarantine No. 37). Since no inspection is made of these seed to determine the presence of injurious insects and consequently no

treatment is given to eliminate such infestations when they exist, importations of these seed constitute a pest risk.

It is therefore hereby ordered that, in accordance with the proviso of § 319.37-2, okra (*Hibiscus esculentus* seed, including seed in dried seed pods, may be imported from all foreign countries and localities on and after October 8, 1945 only under permit and upon compliance with the provisions of § 319.37-3 (e) (7 CFR Cum. Sup. § 319.37-3 (e)) governing the entry of tree and shrub seeds.

(37 Stat. 317; 7 U.S.C. 151 et seq.; 7 CFR 319.37-2)

Done at the city of Washington this 4th day of October 1945.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-18481; Filed, Oct. 4, 1945; 11:13 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 42, Amdt. 20]

PART 1460—FATS AND OILS EMERGENCY QUOTAS

War Food Order No. 42, as amended (9 F.R. 12075; 10 F.R. 2679, 3315, 5060, 7961, 8685, 10419), is further amended by deleting paragraph (b) (4) and substituting in lieu thereof the following:

(4) In addition to the quota established under paragraph (b) (1) hereof, any manufacturer may, during the calendar quarter October 1 to December 31, 1945, use fats and oils in the manufacture of edible fat or oil products other than margarine in an amount not exceeding 4 percent of the average amount of fats and oils used in such class of products during the corresponding calendar quarters of the base period. Such additional usage shall constitute an emergency quota and shall not be considered as part of the regular quota established under paragraph (b) (1) hereof. Any unused portion of such emergency quota shall not be carried over to the succeeding calendar quarter.

This order shall become effective at 12:01 a. m., e. s. t., October 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 2d day of October 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-18399; Filed, Oct. 3, 1945; 12:07 p. m.]

[WFO 111, Partial Suspension]

PART 1470—FOOD STORAGE FACILITIES

PARTIAL SUSPENSION OF RESTRICTIONS ON REFRIGERATED FOOD STORAGE FACILITIES

War Food Order No. 111 (9 F.R. 10761) is hereby further partially suspended as follows:

1. The restrictions contained in paragraphs (b) (1), (b) (2), (b) (6), (b) (7), and (d) are hereby suspended, for the following States only and with the exception indicated below, for the period from the effective date of this order until October 31, 1945:

Arizona, Arkansas, Indiana, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Vermont, West Virginia, Wisconsin, Wyoming.

Colorado (except within the corporate limits of Denver, Colorado).

Illinois (except within the corporate limits of National City, Illinois).

Missouri (except within the corporate limits of St. Louis, Missouri).

Tennessee (except within the corporate limits of Memphis, Tennessee).

2. The above numbered restrictions are to remain in full force and effect in the specified excepted localities and in all states other than those specified above, and all other provisions in War Food Order No. 111 are to remain in full force and effect in every state and locality.

This order shall become effective at 12:01 a. m., e. s. t., October 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 111, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 3d day of October 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-18419; Filed, Oct. 3, 1945; 3:26 p. m.]

[WFO 45, Partial Suspension]

PART 1491—BEANS

RESTRICTIONS ON DELIVERIES OF BEANS

Section 1491.1 (b) of War Food Order No. 45, as amended (9 F.R. 9775, 14273; 10 F.R. 103, 9914, 10419), is suspended effective at 12:01 a. m., e. s. t., October 1, 1945, until further order: *Provided*, That the set aside requirements in Section 1491.1 (b) shall not be suspended with respect to beans sold and delivered by country shippers during September 1945 or any other month prior to October 1, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under said War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of

sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 29th day of September 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-18246; Filed, Oct. 1, 1945;
3:27 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5481]

PART 319—TAXES RELATING TO MACHINE GUNS AND CERTAIN OTHER FIREARMS

SMALL-GAME GUNS

In order to conform Regulations 88 (1941 edition) (26 CFR, 1941 Supp., Part 319), dealing with taxes relating to machine guns and certain other firearms, to Public Law 177 (79th Congress, 1st session), approved August 11, 1945, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding the quotation of section 3261 (a), which is one of the statutory quotations appearing before § 319.3, the following:

PUBLIC LAW 177 (79TH CONGRESS, 1ST SESSION),
APPROVED AUGUST 11, 1945

SEC. 2. Section 3260 (a) of the Internal Revenue Code is amended by striking out "Provided, That manufacturers and dealers in guns with two attached barrels from which only a single discharge can be made from either barrel without manual reloading shall pay the following taxes: Manufacturers, \$25 per year; dealers, \$1 per year." and inserting in lieu thereof the following: "Provided, That manufacturers and dealers in guns with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, guns designed to be held in one hand when fired and having a barrel twelve inches or more in length from which only a single discharge can be made without manual reloading, or guns of both types, shall pay the following taxes: Manufacturers, \$25 per year; dealers, \$1 per year."

SEC. 3. (b) The amendment made by section 2 of this Act shall apply with respect to any tax within the scope thereof payable under section 3260 (a) of the Internal Revenue Code for any taxable period commencing on or after July 1, 1945.

PAR. 2. The first paragraph of § 319.5 is amended to read as follows:

§ 319.5 *Rates of tax.* The special taxes are as follows:

	Per year
Class 1. Importers or manufacturers of "firearms" as defined (see § 319.1 (a)), except manufacturers in class 2	\$500

Class 2. Prior to July 1, 1945, manufacturers whose production of "firearms" (see § 319.1 (a)) is limited to guns with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, and on and after July 1, 1945, manufacturers of "firearms" whose production is limited to guns with two attached barrels, twelve inches or more in length from which only a single discharge can be made from either barrel without manual reloading, or guns designed to be held in one hand when fired and having a barrel twelve inches or more in length from which only a single discharge can be made without manual reloading, or guns of both types	\$25
Class 3. Pawnbrokers, except those in class 5	300
Class 4. Dealers, other than pawnbrokers, except those in class 5	200
Class 5. Prior to July 1, 1945, dealers, including pawnbrokers, whose dealing in "firearms" (see § 319.1 (a)) is limited to guns with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, and, on and after July 1, 1945, dealers, including pawnbrokers, whose dealing in "firearms" is limited to guns with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, or guns designed to be held in one hand when fired, and having a barrel twelve inches or more in length from which only a single discharge can be made without manual reloading, or guns of both types	1

PAR. 3. There is inserted immediately preceding the quotation of section 2722 (a), which appears immediately before § 319.22, the following:

PUBLIC LAW 177 (79TH CONGRESS, 1ST SESSION),
APPROVED AUGUST 11, 1945.

* * * That section 2720 (a) of the Internal Revenue Code is amended to read as follows:

(a) *Rate.* There shall be levied, collected, and paid upon firearms transferred in the continental United States a tax at the rate of \$200 for each firearm: *Provided*, That the transfer tax on any gun with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, or any gun designed to be held in one hand when fired and having a barrel twelve inches or more in length from which only a single discharge can be made without manual reloading, shall be at the rate of \$1. The tax imposed by this section shall be in addition to any import duty imposed on such firearm.

SEC. 3. (a) The amendment made by the first section of this Act shall apply with respect to any transfer within the scope thereof made on or after July 1, 1945.

PAR. 4. Section 319.23 is amended to read as follows:

§ 319.23 *Rate of tax.* The transfer tax to be levied, collected, and paid with respect to all articles within the

Per
year

term "firearm" (see § 319.1 (a)) transferred in the continental United States is at the rate of \$200 for each firearm, except that prior to July 1, 1945, the rate of tax is \$1 upon the transfer of any gun with two attached barrels, twelve inches or more but less than 18 (16 in the case of rifles of .22 caliber or less) inches in length, from which only a single discharge can be made from either barrel without manual reloading, and, on and after July 1, 1945, the rate of tax is \$1 upon the transfer of any gun with two attached barrels, twelve inches or more but less than 18 (16 in the case of rifles of .22 caliber or less) inches in length, from which only a single discharge can be made from either barrel without manual reloading, or any gun designed to be held in one hand when fired and having a barrel twelve inches or more but less than 18 (16 in the case of rifles of .22 caliber or less) inches in length, from which only a single discharge can be made without manual reloading. In every case the tax shall be paid by the transferor.

(Secs. 2732 and 3791 of the Internal Revenue Code (53 Stat. 294, 467; 26 U.S.C. 2732, 3791))

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: October 3, 1945.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-18489; Filed, Oct. 4, 1945;
11:38 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO CERTAIN PRODUCERS IN DISTRICT NO. 4

The following direction has been sent to certain coal producers in District No. 4:

Pursuant to Executive Order No. 9332, SPAW Regulation No. 1, and effective forthwith, you are prohibited until further notice from supplying or shipping by rail or water from any mine, preparation plant, or railroad scales bituminous coal produced in District No. 4 to any person or for any use except the following: (1) hospitals; (2) public utilities (as defined in Regulation No. 27); (3) railroads; (4) commercial dock operators on Great Lakes, tidewater or river; (5) vessel or bunker fuel, and colliery fuel. You are directed to hold on track maximum number no-bills. If compliance with this direction tends to curtail production or cause undue hardship, Area Distribution Manager authorized to give consignments by telephone and confirm in writing.

Issued this 3d day of October 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-18505; Filed, Oct. 4, 1945;
11:44 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO PERSONS SHIPPING COAL PRO- DUCED IN DISTRICT NO. 7

The following direction has been sent to certain coal producers in District No. 7:

Pursuant to Executive Order No. 9332 (8 F.R. 5355), SFAW Regulation No. 1 (8 F.R. 5832; 8 F.R. 16320; 10 F.R. 1724), and effective forthwith, all persons shipping bituminous coal produced in District No. 7 intended or destined for export are prohibited until further notice from making such shipments without special permit from SFAW. Pending further notice, the operation of any permit or authorization heretofore granted pursuant to SFAW Regulation No. 31 (10 F.R. 8538; 10 F.R. 11554; 10 F.R. 11739) is suspended. Applications for special emergency permits under this general notice of direction shall be filed with W. G. Caperton, Solid Fuels Administration for War, Washington 25, D. C. and must state all pertinent facts necessary to enable SFAW to determine whether or not such coal should, in view of the emergency occasioned by widespread work stoppages in the coal mines, be retained within the United States.

Issued this 3d day of October 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-18506; Filed, Oct. 4, 1945;
11:44 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO CERTAIN PRODUCERS IN DISTRICT NO. 7

The following direction has been sent to certain coal producers in District No. 7:

Pursuant to Executive Order No. 9332, SFAW Regulation No. 1, and effective forthwith, you are prohibited until further notice from supplying or shipping by rail or water from any mine, preparation plant, or railroad scales bituminous coal produced in District No. 7 to any person or for any use except the following: (1) hospitals; (2) public utilities (as defined in Regulation No. 27); (3) railroads; (4) commercial dock operators on Great Lakes, tidewater or river; (5) vessel or bunker fuel, and colliery fuel. You are directed to hold on track maximum number no-bills. If compliance with this direction tends to curtail production or cause undue hardship, W. G. Caperton, Solid Fuels Administration for War, Washington 25, D. C., is authorized to give consignments by telephone and confirm in writing.

Issued this 3d day of October 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-18507; Filed, Oct. 4, 1945;
11:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O.

9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY [Directive 15, Revocation]

PYRETHRUM AND ROTENONE INSECTICIDES

Section 903.27a *Directive 15* is hereby revoked. This revocation does not affect any liabilities incurred for violation of rules, orders, regulations or other actions issued pursuant to the Directive.

Issued this 4th day of October 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-18473; Filed, Oct. 4, 1945;
11:06 a. m.]

PART 906—MACHINE TOOL TRANSFERS [Directive 13, Revocation]

Section 906.1 *Directive 13* is hereby revoked.

Issued this 4th day of October 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-18472; Filed, Oct. 4, 1945;
11:06 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYS- TEM

[Priorities Reg. 31 as amended Oct. 1, 1945,
Amdt. 1]

BLANKET REVOCATION OF CERTAIN WPB ORDERS

Section 944.52, *Priorities Regulation 31*, is amended by adding to the list of orders revoked the following order:

LIST OF ORDERS REVOKED AND EFFECTIVE DATE OF REVOCATION

TEXTILE, CLOTHING AND LEATHER

Section 3290.135, L-274, Men's, Women's, Children's and Infants' Hosiery, October 3, 1945.

Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-18427; Filed, Oct. 3, 1945;
4:51 p. m.]

PART 984—LEAD

[General Preference Order M-38, as Amended
Oct. 3, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lead for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 984.1 *General Preference Order M-38*—(a) *Scope of the order.* This order controls generally the use of lead and lead products. Lead and lead products may be used only for the items and purposes set forth in the order. Other restrictions may also be found in other or-

ders of the War Production Board relating to particular articles or parts. In such case the more restrictive provision governs. In no case shall any person use, purchase, sell, deliver or accept delivery of any lead in violation of this order.

(b) *Definitions.* For the purpose of this order:

(1) "Lead" means metallic lead, including any alloy containing 50% or more by weight of metallic lead. It includes soft and antimonial lead produced from foreign or domestic ores, scrap, drosses, or other lead bearing material, as well as scrap lead and alloys in which the lead content is 50% or more by weight.

(2) "Lead product" means lead in the form of sheet, pipe, ingot, castings, and foil.

(3) "Refiner" means any person who produces lead in refinery shapes, and includes any person who has such lead produced for him under toll agreement.

(4) "Dealer" means any person who procures lead either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(5) "Military order" means a specific contract or sub-contract necessitating the use of lead or lead products in the manufacture of any product, or any component to be physically incorporated into such products, produced for or for the account of the Army or Navy of the United States, Maritime Commission, War Shipping Administration, Veterans Administration or Office of Scientific Research and Development.

(6) "Implement of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Use" means to melt, form or alloy lead for introduction into an end product or a component thereof.

(8) "Item" means any article or component thereof.

(c) *Prohibitions on use.* On and after April 1, 1945, no person shall use lead or lead products except for the items and purposes and subject to the qualifications set forth in List I of this order, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person respecting the production, distribution, delivery, or acceptance of delivery of lead.

(e) *Lead from Metals Reserve Company.* Any person unable to obtain pig lead from the regular sources of supply and wishing to procure pig lead from the Metals Reserve Company must make application in writing to the War Produc-

tion Board on Form WPB-95, not later than the 20th of the month preceding that of shipment.

(f) *Inventory restrictions.* No person shall knowingly deliver to any person and no person shall accept delivery of any quantity of pig lead if the total inventory of pig lead in the hands of the person accepting delivery is, or by virtue of the acceptance will become, in excess of his reasonable anticipated requirements for permissible uses in the next 45 days (except where a minimum carload quantity requested by Office of Defense Transportation exceeds these restrictions). The restrictions of this paragraph do not apply to a refiner, dealer, or scrap dealer.

(g) [Deleted May 1, 1945]

(h) *Restrictions on sales and deliveries of lead.* No person shall sell or deliver any lead to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(i) *Appeals.* Any appeal from the restrictions of this order must be by letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal and should be addressed to the War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., reference M-38. The appeal should contain the following information:

- (1) Product in which the lead will be used.
- (2) Period of time, not exceeding one calendar quarter for which relief is requested.
- (3) Monthly schedule of amount of lead to be used.
- (4) Prime contract numbers on military orders.
- (5) If the appeal is filed because the restrictions on use of lead will prevent the filling of non-military orders of extreme urgency, give exact information as to the use of the product in which the lead is used.
- (6) Why other less critical materials cannot be used.
- (7) Any other information pertinent to the appeal.

Note: Unnumbered paragraph deleted Oct. 3, 1945.

(j) [Deleted Oct. 3, 1945.]

(k) *Records.* All persons affected by this order must maintain accurate and complete records of all transactions as required by Priorities Regulation No. 1, 944.15. Such records must include complete statements of the amounts of lead consumed for the items specified in this order, and the amount of inventory on hand.

(l) *Required reports.* (1) On or before the 20th day of each calendar month each person who purchased or consumed 10 tons or more of lead during the preceding calendar month, or had in his possession or under his control 20 tons or more of lead, shall report such purchases, consumption and stocks on hand at the end of the preceding month to the War Production Board on Form WPB-95.

(2) The War Production Board may from time to time issue special directions requiring any refiner or dealer to file a report showing a schedule of his proposed deliveries of lead.

(3) All persons affected by this order shall execute and file with the War Production Board such other reports as may be required subject to the approval of the Bureau of the Budget.

(4) The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Communications of the War Production Board.* All communications and reports dealing with this order shall be addressed to: War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., Ref. M-38

Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

Pursuant to the foregoing order, lead and lead products may be used only for the following items and purposes subject to such qualifications on use as are set forth next to the item or purpose; and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

1. Ammunition for Military Orders.
2. Anchorages for military and industrial equipment and components, including expansion bolts and shields.
3. Anodes for electrolytic refining, chromium plating and for lead plating as permitted in Item 40 of this list.
4. Anti-vibration mats.
5. Babbitt for abrasives and grinding wheels and for securing hardware to radio insulators and for securing end connections of windings and/or for securing enclosures of wire wound restrictors.
6. Ballast for implements of war where available space does not permit the use of material of lower density, for submarines and for surface craft of sizes up to and including destroyers.
7. Bearing Metal.
8. Bolster metal for surgical, table and industrial cutlery.
9. Brake lining and clutch facings.
10. Brass and bronze.
11. Cable covering, for the fourth quarter of 1945, 25% of the amount of lead used during the calendar year of 1940.
12. Cable sleeving and other accessories necessary for the maintenance, repair and installation of lead covered cable.
13. Cable terminals and bushings for storage batteries.
14. Cames.

15. Caulking of cast iron pipelines (including lead wool) where other material such as sulphur compounds or cement does not provide a leak proof joint.
16. Chemicals subject to the restrictions of Conservation Order M-384.
17. Closure Spouts for drugs and chemicals.
18. Coating of wire and zinc plated sheet, including sheathing.
19. Collapsible tubes, subject to the restrictions of Conservation Order M-115.
20. Counterweights, weights and sliding poises for Military, industrial and laboratory equipment, and implements of war where available space does not permit the use of material of lower density.
21. Foil:
 - (a) Military orders to the extent that Method IA (not dehydrated) and/or Method II (dehydrated) packaging, as presently defined in the U. S. Army Specification 100-14, U. S. Navy Specification 39-P-16 and British Standard Packaging Code BS-1133, or any new specifications covering the above are expressly specified in the prime contract.
 - (b) For component ammunition for military only.
 - (c) Electrotypes subject to the restrictions of Order M-43.
 - (d) Condensers.
 - (e) Cap Liners for packaging drugs.
 - (f) Electrostatic shielding of transformer coils and cores.
22. Fire extinguisher and decontaminator components.
23. Gaskets, locknuts and shims.
24. Heat equalization in galvanizing pots and for molten zinc operations.
25. Heat treating and annealing.
26. Implements of War, as defined in Section (b) (6) of the Order.
27. Impression lead.
28. Inserts for treads on non-sparking ladders and stairs.
29. Lead hammers.
30. Lead-headed nails only to the extent that the use of springhead or flathead nails is impracticable.
31. Fusible alloys.
32. Lead lined bowls for centrifugal oil purifiers.
33. Lead wire for determining gear bearing clearances.
34. Lining for acid lockers.
35. Lubricant for cold drawing of steel products.
36. Manufacture and moulding of plastics.
37. Medical, dental and veterinarian equipment and instruments.
38. Metallic and semi-metallic packing.
39. Patterns and dies.
40. Plating or coating where lead is used in place of either cadmium or tin, or where corrosion makes the use of any other material impracticable.
41. Powder for military uses, powder metallurgy and gear lubricants.
42. Production of rayon.
43. Refining of platinum group metals, gold and silver, and metallic sodium.
44. Repair of existing lead construction.
45. Seals for pilfering and tampering protections.
46. Sheath for curing process of rubber.
47. Sheet, pipe (including lead lined pipe), valves, fittings, burning bars and castings to be used.
 - (a) in chemical and processing equipment to the extent that corrosion makes the use of any other material impracticable.
 - (b) in water service lines to the extent that municipal, state or Federal regulations permit no substitutes or sound water works practice requires its use.
48. Sinkers and other fishing tackle.

49. Solder.
 50. Sounding Leads.
 51. Spectrographs and spectrophotometers.
 52. Storage batteries, including lead content of oxide and cell covers, *Provided*, That the antimony content in any antimonial lead used for grids, connecting parts or components for storage batteries shall not exceed nine (9%) percent, except where specified for contracts of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration where an alloy with a higher content of antimony is mandatory, for:
 (a) Military orders.
 (b) Original equipment.
 (c) Industrial type, for replacement purposes, for the fourth quarter of 1945, 25% of the amount of lead used for the same purpose during the calendar year of 1944.
 (d) Automotive SLI type, for replacement purposes, for the fourth quarter of 1945, 26½% of the amount of lead used for the same purpose during the calendar year of 1944.
 53. Terne plate and Terne metal subject to restrictions of Conservation Order M-43.
 54. Tetra ethyl subject to the restrictions of PAW directives.
 55. Turbine and gear bearing oil deflectors.
 56. Turbine gland labyrinth and diaphragm packing.
 57. Type metal for use in printing trade.
 58. Vocational purposes where lead is reused and in laboratories for analytical purposes and research.
 59. X-ray purposes and Radiography.
 60. Zinc production.
 61. For use to comply with safety regulations issued under Government authority which requires the use of lead to the extent employed, or in safety equipment.

[F. R. Doc. 45-18391; Filed, Oct. 3, 1945; 11:30 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-779, Revocation]

DAVID HOLDER

Suspension Order No. S-779, effective May 13, 1945, was issued on May 3, 1945 against David Holder, operating a sawmill at Willits, California. An appeal was filed with the Chief Compliance Commissioner on May 22, 1945. Deputy Chief Compliance Commissioner Bok considered the appeal and ordered it dismissed on July 11, 1945. In view of the amendment of Conservation Order L-41 on August 21, 1945 exempting industrial construction, the Chief Compliance Commissioner has directed that the suspension order be revoked.

In view of the foregoing, it is hereby ordered, that: § 1010.779 *Suspension Order No. S-779*, be revoked.

¹ An Industrial Storage Battery means an electric storage battery of other than SLI type which has been completely assembled and sealed, whether charged or uncharged and which is designed and built for industrial applications such as, but not confined to, railway signaling and lighting, mine locomotives, industrial trucks, farm lighting, public utilities stand-by equipment, commercial radio installations, airplane and commercial boat installations and components thereof.

*Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-18428; Filed, Oct. 3, 1945; 4:51 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-820, Revocation]

TILLMAN HEDGES

Suspension Order No. S-820 was issued June 20, 1945 against Tillman Hedges, Duncan, Oklahoma for violation of Conservation Order L-41. This construction has now been determined to be essential, and the Chief Compliance Commissioner has therefore directed that Suspension Order No. S-820 be revoked.

In view of the foregoing: *It is hereby ordered*, That § 1010.820 *Suspension Order No. S-820*, be revoked.

Issued this 2d day of October 1945.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-18357; Filed, Oct. 2, 1945; 4:52 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-876, Revocation]

LESLIE T. HEALY

Suspension Order No. S-876, effective August 14, 1945, was issued August 7,

Change	Material	Commerce import class number	Governing date
Remove from List A....	Lead manufactures: Collapsible tube discs or slugs and any other semi-fabricated form, manufactured in whole or in part of lead or lead alloy. Collapsible tubes, manufactured in whole or in part of lead or lead alloy, filled or empty. Foil, manufactured in whole or in part of lead or lead alloy. Storage batteries (lead acid type).....	N. S. C..... N. S. C..... N. S. C..... N. S. C.....	4/16/45 2/14/45 2/14/45 2/14/45

Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-18392; Filed, Oct. 3, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Direction 7 as Amended Oct. 3, 1945]

SET-ASIDES OF COTTON FABRICS FOR FOURTH QUARTER 1945 PROGRAMS UNDER SCHEDULES C AND D OF ORDER M-328B

The following amended direction is issued pursuant to M-328B:

(a) This direction applies only to the deliveries of fabrics under ratings assigned under Schedules C and D of Order M-328B.

(b) The purpose of this direction is to establish set-asides of the particular fabrics for which CC ratings are assigned in Schedules C and D of Order M-328B and to establish rules for the acceptance of orders by those persons subject to the set-aside provisions.

(c) Every producer of any cotton fabrics listed in the fabric set-aside table, in the

1945 against Leslie T. Healy, 2636 Noble Road, Cleveland Heights, Ohio, engaged in the construction business, principally of small residences, in South Euclid, Ohio. An appeal was filed with the Chief Compliance Commissioner on August 14, 1945 and, pending final determination of the appeal, a stay was granted on August 21, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Curtis Bok who has directed that the suspension order be revoked.

In view of the foregoing: It is hereby ordered, that: § 1010.876, *Suspension Order No. S-876* be revoked.

Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
 By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-18429; Filed, Oct. 3, 1945; 4:51 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended Sept. 18, 1945, Amdt. 2]

Section 1042.1 *General Imports Order M-63* is hereby amended as follows:

1. List A is amended by making the following changes:

gray state, whether he sells it in the gray or finished state or uses it to manufacture civilian items, shall deliver or use, during the fourth quarter of 1945, a yardage of that cotton fabric at least equal to the percentage shown in the fabric set-aside table of his production during that period to fill either orders bearing CC ratings assigned under Order M-328B or orders bearing the following certification (the term "orders" includes orders between branches or divisions of a company as well as orders from other companies):

"The undersigned certifies, subject to the criminal penalties of Section 35 (A) of the U. S. Criminal Code, that he will deliver during the fourth quarter of 1945, to fill orders rated CC under Schedules C and D of Order M-328B, a yardage of finished cotton fabric of the type covered by this purchase order equal to at least all unfinished cotton gray fabric of that type to which he takes title during that period on orders bearing this certificate."

(d) A producer of cotton fabric is not required to deliver or use, in the fourth quarter of 1945, to fill such rated or certified orders, of any type of cotton fabric listed on the fabric set-aside table, more than a yardage of his fourth quarter production equal to the listed percentage for that fabric. After a producer has accepted orders bearing the cer-

tification described above, he may schedule them for delivery as if they bore CC ratings.

(1) Every supplier of finished fabric making the certification described in paragraph (c) above must deliver finished cotton fabrics during the fourth quarter of 1945 in accordance with its terms. In calculating the yardage of a particular fabric which he is required to deliver, the supplier of finished fabric may take into consideration actual processing loss on material delivered in the fourth quarter.

(2) No supplier of finished cotton fabric is required to accept rated orders CC under Schedules C and D of M-328B for a greater yardage of any type of finished cotton fabric listed on the fabric set-aside table for delivery in the fourth quarter of 1945 than a yardage equal to all unfinished cotton gray fabric of that type to which he takes title during that period on orders bearing the certification in paragraph (c) above.

(3) After a supplier of finished fabrics uses the certificate set forth in paragraph (c) on any of his purchase orders to his suppliers, he must not extend on orders for the particular cotton fabric covered by the certificate any CC ratings which he knows or has reason to believe were assigned under Schedule C or D of Order M-328B.

(f) (1) If a supplier of gray or finished cotton fabric receives orders bearing CC ratings assigned under Schedule C or D of M-328B before October 6, 1945, he may hold them until that date before determining whether he is required to accept them. However, he must not actually reject any such CC orders before that date. If, on October 6, 1945 he has received such rated orders and orders certified under paragraph (c) above for more than the yardage which he is required by paragraph (c) or paragraph (e) to deliver on such rated or certified orders, he may then reject any CC rated orders previously served on him to the extent of the excess. This paragraph (f) (1) does not affect AA-3 purchase orders which have been accepted and which may be re-rated CC before October 1, 1945, in accordance with Direction 18 to Order M-328.

(2) Any purchaser who is unable to get his rated orders accepted, should notify the War Production Board.

(g) This paragraph explains how a finished goods supplier who is unable to get CC rated orders to meet the requirements of paragraph (c) above may obtain relief from that requirement.

(1) He must send two copies of Form WPB-4351 by registered mail to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., within the time stated below. This form must be completely filled out in accordance with its instructions. Copies of the form may be obtained from any War Production Board Field Office.

(2) Form WPB-4351 may not be filed before November 1, 1945.

(3) Seven days after the mailing of Form WPB-4351 in accordance with the rules above, if the War Production Board does not otherwise direct in writing, the finished goods supplier seeking relief may, to the extent that he is unable to obtain orders rated CC under M-328B, disregard the requirements that he deliver during the fourth quarter the yardage of finished fabric specified in paragraph (c).

(h) The special rules of this Direction for the handling of ratings apply only to CC ratings assigned under Schedules C and D of Order M-328B. Nothing in this Direction affects CC ratings assigned on Form WPB-541A under PR-28, or MM ratings.

Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

FABRIC SET ASIDE TABLE

Reference No.	Form WPB 658, item No. (6-27-45)	Column 1 Construction of fabric	Column 2 Percentage of yardage produced required to be set aside
			Percent
1	B51.....	Poplins, carded, sheeting yarns.	20
2a	B77-8, 83-85.	Print cloths, sley above 64	30
2b	B79-83, 85.....	Print cloths, sley of 64 and lower.	30
3	B94-99.....	Broadcloths, carded, any sley.	60
4	B98.....	Poplins, carded, print cloth warp, any sley.	65
5	B105.....	Sport Denims.....	80
6	B114.....	Carded ginghams 5.50 square yards per pound and heavier.	55
7	B115-6, C63.....	Seersuckers.....	10
8	B117-120, 163.....	Suitings, (cotton, cotton and rayon, and mixtures containing less than 25% wool).	15
9	B125.....	Chambrays, carded, lighter than 3.90 square yards per lb.	55
10	B131.....	Outing flannels 4.50 square yards per lb. and lighter.	35
11	B161, C61, 62.....	Cotton and spun rayon mixtures containing less than 25% by weight of rayon and lighter than 3.00 square yards per pound.	60
12	B163.....	Oxfords, carded.....	75
13	C10-12.....	Broadcloths, combed, any sley.	35
14	C13.....	Dimities.....	50
15	C18-27.....	Lawns, combed and carded.	15
16	C35.....	Oxfords, combed.....	25
17	C36.....	Piques.....	45
18	C39-40.....	Poplins, combed, any sley.	20
19	C46.....	Shirtings, Jacquard, gray-dobby and colored yarn (combed).	45
20	C63.....	Dotted Swiss.....	25

[F. R. Doc. 45-18425; Filed, Oct. 8, 1945; 4:51 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule J, as Amended Oct. 3, 1945]

SPECIAL PROGRAM FOR RAYON CIVILIAN ITEMS

§ 3290.120j *Schedule J to Order M-328B—(a) Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian items manufactured from rayon fabric to get preference ratings for rayon fabric for delivery beginning in the fourth quarter of 1945 to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule:

(1) "Fabrics," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Rayon fabric" means any fabric containing less than 25% wool by weight but of which the remaining fibers are more than 50% of synthetic fiber (staple or continuous filament) by weight. For

example, a fabric containing 20% wool, 41% rayon, and 39% cotton is rayon.

(3) "Rayon item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is made of rayon fabric.

(4) "Base period manufacturer" and "base period" mean the same as in paragraph (b) (5) of Order M-328B except that a person who did not manufacture an item listed in this schedule during the base period at or below the maximum price set forth in the schedule shall not be considered a base period manufacturer.

(c) *Special requirements for obtaining priorities assistance.* (1) Three copies of Form WPB-3732 must be filed for priorities assistance under this schedule, in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the fourth calendar quarter of 1945 applications shall be postmarked not later than September 5, 1945.

(2) [Deleted Oct. 3, 1945]

(3) [Deleted Oct. 3, 1945]

(4) A base period manufacturer may not apply for a quantity of fabric for any item greater than 100% of the linear yards used by him in the base period for the production of that item.

(5) [Deleted Oct. 3, 1945]

(6) [Deleted Oct. 3, 1945]

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get rayon fabrics to make the rayon items specified in the preference rating schedule.

(2) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price Column.

(3) A manufacturer who is not a base period manufacturer must comply with the provisions of paragraph (c) (6) of Order M-328B.

(4) A manufacturer who did not manufacture an item in the base period must state his proposed production by size assortment per dozen in the "Remarks" section of Form WPB-3732. If his application is granted, he must comply with these size assortments.

(5) [Deleted Oct. 3, 1945]

(e) *Delivery and use of rayon fabric to fill rated or certified orders.* (1) Every producer of rayon fabric in the gray state, whether he sells it in the gray or finished state or uses it to manufacture civilian items, shall deliver or use, during the fourth quarter of 1945, a yardage of rayon fabric at least equal to 40% of his production during that period to fill either orders bearing CC ratings assigned under Order M-328B or orders bearing the following certification (the term "orders" includes orders between branches or divisions of a company as well as orders from other companies):

The undersigned certifies, subject to the criminal penalties of section 35 (a) of the

U. S. Criminal Code, that he will deliver during the fourth quarter of 1945, to fill orders rated CC under Order M-328B, a yardage of finished rayon goods equal to at least all unfinished rayon gray goods to which he takes title during that period on orders bearing this certificate.

(2) A producer of rayon fabric shall not be required to deliver or use, in the fourth quarter of 1945, to fill such rated or certified orders, more than a yardage of rayon fabric equal to 40% of his fourth quarter production. After a producer has accepted orders bearing the certification described above, he may schedule them for delivery as if they bore CC ratings.

(f) Deliveries by finished goods suppliers. (1) Every supplier of finished fabrics making the certification described in paragraph (e) above must deliver finished rayon fabric during the fourth quarter of 1945, in accordance with its terms. In calculating the yardage which he is required to deliver, the supplier of finished goods may take into consideration actual processing loss on material delivered in the fourth quarter. For example, a finished goods supplier has an actual processing shrinkage of 5% on rayon fabric delivered by him in the fourth quarter of 1945. If he takes title to 100,000 yards of rayon gray goods in the fourth quarter on orders bearing the certificate, the quantity which he is required to deliver is 95,000 yards.

(2) No supplier of finished rayon fabric shall be required to accept orders rated CC under M-328B for a greater yardage of finished rayon fabric for delivery in the fourth quarter of 1945 than a yardage equal to all unfinished rayon gray goods to which he takes title during that period on orders bearing the certificate in paragraph (e).

(3) After a supplier of finished fabrics uses the certificate set forth in paragraph (e) on any of his purchase orders to his suppliers, he must not extend on orders for rayon fabric any CC ratings which he knows or has reason to believe were assigned under Order M-328B.

(g) Acceptance of rated orders. (1) If a supplier of gray or finished rayon fabric receives orders bearing CC ratings (assigned under M-328B) before October 6, 1945, he may hold them until that date before determining whether he is required to accept them. However, he must not actually reject any such CC orders before that date. If, on October 6, 1945, he has received such rated orders and orders certified under paragraph (e) for more than the yardage which he is required by paragraph (e) or paragraph (f) to deliver on such rated or certified orders, he may then reject any CC rated orders previously served on him to the extent of the excess. This subparagraph (1) does not affect AA 3 purchase orders which have been accepted and which may be re-rated CC before October 1, 1945, in accordance with Direction 18 to Order M-328.

(2) Any purchaser who is unable to get his rated orders accepted should notify the War Production Board.

(h) Exceptions from requirements. This paragraph explains how a finished goods supplier who is unable to get CC rated orders to meet the requirements of paragraph (f) above may obtain relief from that requirement.

(1) He must send two copies of Form WPB-4351 by registered mail to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., within the time stated below. This form must be completely filled out in accordance with its instructions. Copies of the form may be obtained from any War Production Board Field Office.

(2) Form WPB-4351 may not be filed before November 1, 1945.

(3) Seven days after the mailing of Form WPB-4351 in accordance with the rules above, if the War Production Board does not otherwise direct in writing, the finished goods supplier seeking relief may, to the extent that he is unable to obtain orders rated CC under M-328B, disregard the requirements that he deliver during the fourth quarter the yardage of finished fabric specified in paragraph (f).

(i) The special rules of this Schedule J for the handling of ratings apply only to CC ratings assigned under Order M-328B. Nothing in this Schedule affects CC ratings assigned on Form WPB-541-A under PR 28, or MM ratings.

Issued this 3d day of October 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE RAYON FABRICS FOR CIVILIAN ITEMS

(The applicable provisions of each column are indicated for each numbered item opposite the item number.)

Item No.	Description of rayon item	Size range	Maximum price column
1	Dresses: women's, misses' and juniors'.	9-17, 12-44.....	Each \$5.75
2	Dresses: women's, misses' and juniors'.	46 and up.....	6.75
3	Dresses: teen-age girls'.	Maternity.....	6.75
4	Dresses: girls'.	10-16.....	3.75
5	Blouses, shirts and waists: women's, misses' and juniors'.	7-14.....	3.00
6	Blouses: teen-age girls'.	9-17, 12-40.....	Dozen 22.50
7	Blouses: girls'.	42 and up.....	25.50
8	Nightgowns: women's.	10-16.....	16.50
9	Nightgowns: teen-age girls'.	7-14.....	15.75
10	Slips: women's, misses' and juniors'.	32-44.....	22.50
11	Slips: teen-age girls'.	46 and up.....	25.50
		10-16.....	16.50
		9-17, 12-44.....	15.75
		46 and up.....	18.00
		10-16.....	12.00

[F. R. Doc. 45-18426; Filed, Oct. 3, 1945; 4:51 p. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88, Corr. to Amdt. 33]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

Amendment No. 33 to Maximum Price Regulation No. 88 is corrected in the following respects:

1. In section 7.4 (a), "Mississippi" is corrected to read "Missouri" and the products stated following "for a particular grade of" are corrected to read: "automotive gasoline, stove and lamp naphtha, kerosene, range, stove or heater oil, distillate fuel, diesel fuel or tractor fuel".

This correction shall become effective as of September 1, 1945.

Issued this 4th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-18490; Filed, Oct. 4, 1945; 11:39 a. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 111, Amdt. 16]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 111 is amended in the following respects:

1. A new § 1370.4a is added to read as follows:

§ 1370.4a. *New manufacturers.* The maximum prices for sales by a manufacturer who did not produce new household vacuum cleaners during the period October 1, 1941–March 30, 1942 inclusive shall be the prices established by an order under this section in line with the level of maximum prices otherwise established by this regulation. Application for the establishment of such a maximum price shall be made in writing to the Office of Price Administration, Washington, D. C.

2. Paragraph (a) of § 1370.12 Appendix A is amended in the following respects:

a. The listing of P. A. Geier Company models and their maximum retail price is amended to read as follows:

Manufacturer	Model	Description	Retail price
P. A. Geier Company.	177.....	Floor type, motor driven brush.	\$64.50
	189.....	do.....	54.50
	215.....	do.....	48.95
	153.....	do.....	29.95
	148.....	do.....	24.95
	186.....	Cylinder type (included 9 piece attachment set).	49.95
	210-A.....	Cylinder type (included 14 piece attachment set).	60.00
	G-257.....	Hand type, motor driven brush.	16.35
	157.....	do.....	17.25
	138.....	Hand type, plain suction rubber nozzle.	14.75
	111.....	Hand type, plain suction (included 5-piece attachment set).	19.95
	211.....	12-piece attachment set.	17.25
	196.....	do.....	17.25
	176.....	6-piece attachment set.	7.65
	195.....	5-piece attachment set.	7.65

b. The listing of The Hoover Company models is amended to read as follows:

Manufacturer	Model	Description	Retail price
The Hoover Co.	60	Floor type motor driven agitator	\$82.00
	6000	10-piece set of cleaning tools	16.50
	26	Floor type motor driven agitator	68.00
	2600	10-piece set of cleaning tools	16.50
	27	Floor type motor driven agitator	57.50
	2700	10-piece set of cleaning tools	16.50
	305	Floor type motor driven agitator	52.50
	3050	10-piece set of cleaning tools	16.50
	3051	7-piece set of cleaning tools	12.50
	90-Comm'l.	Floor type motor driven agitator	89.50
	Norica 80	Floor type motor driven brush	39.75
	Norica 8000	9-piece set of dusting tools	9.95
	Norica 8001	Hand cleaner	14.50

c. The following models of vacuum cleaners are added to the listing therein, to be inserted in alphabetical order:

Manufacturer	Model	Description	Retail price
Regina Corporation	Electrikbroom	Floor type	\$30.50
Rexaire, Inc.	B	Upright cylinder type (included: 10 piece attachment set)	93.75

This amendment shall become effective on the 9th day of October 1945.

Issued this 4th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-18491; Filed, Oct. 4, 1945;
11:39 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMFR 136, Amdt. 15]

MACHINES, PARTS, AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respect:

A new section 30 is added to read as follows:

SEC. 30. *Industry-wide adjustments for reconversion products.* Special pricing provisions applicable to particular products may be established by orders issued under this section when, with respect to the product, the Administrator finds:

(a) That in 1944 its production was approximately one-half or less of its production in its last representative period of peacetime production;

(b) That this reduction in dollar volume resulted from (1) governmental restrictions on the manufacture of products or on the use of materials, facilities, or manpower, or (2) the use of facilities for the production of war goods; or (3) other direct needs of the war effort; and

(c) That because of change in government restrictions or in the needs of the war program, manufacturers of the product generally are able to begin or to increase substantially the production of the product line.

If, in the judgment of the Administrator, the purposes of this section will be effectuated, as to a particular product, without any special pricing provisions, an order under this section will not be issued with respect to that product even

though the above findings could be made as to it.

Orders under this section will, generally, authorize industry-wide increases in the established maximum prices of manufacturers in those industries, based upon surveys conducted by the Price Administrator, either upon the request of the particular industry or upon his own motion. Those orders will establish adjusted maximum prices or methods of determining such prices by the use of price increase factors. Where, however, in the judgment of the Price Administrator, the use of an industry-wide factor will, by reason of the diversity in the products made by the member firms, the wide variation in cost experience among them, or other reasons, be an inequitable and inappropriate means of establishing reconversion prices, he may provide for the calculation and application of individual price increase factors.

Broadly stated, the new maximum prices will represent costs experienced during the last period of normal production adjusted for subsequent lawful changes in the level of materials prices and in basic wage rate schedules of factory workers, plus the industry's average peacetime profit margin over cost. Changes in materials prices may be measured by materials cost increase factors, determined by the Administrator, in those cases where such action may be necessary to eliminate temporary or artificial influences. In the case of an industry for which the Administrator has decided that price increase factors should be determined and applied for each firm, the profit element in each increase factor will be the firm's own base period profit margin or one-half the industry's average peacetime margin, whichever is the higher.

Orders issued under this section may also modify or supersede the provisions of Revised Maximum Price Regulation 136, with respect to the establishment of maximum prices, if, on the basis of the particular characteristics of the industry involved, the Administrator finds that another method of price determination will effectuate the purposes of this regulation better than the general pricing provisions of the regulation. In addition,

those orders may establish new maximum prices or a method of determining new maximum prices for sales by persons other than manufacturers which will supersede maximum prices fixed by other regulations for such sales and which will be consistent with the standards applied by the Office of Price Administration for the reasonable absorption of necessary cost increases.

Orders issued under this section will not ordinarily reduce higher maximum prices which manufacturers have previously established in accordance with the applicable provisions.

A manufacturer of a product covered by an order issued under this section may not obtain an adjustment of his maximum prices under any adjustment provision other than Supplementary Orders Nos. 118 and 119, unless the adjustment provision itself or the order issued under this section covering his product expressly provides otherwise. This rule does not apply, however, to any adjustment which may be made in accordance with Procedural Regulation No. 6 with respect to any Government contract or subcontract thereunder, for the sale of a commodity essential to the war program.

Small volume manufacturers may use as their new maximum prices those which they calculate under Supplementary Order No. 118, and general orders issued pursuant thereto, if the maximum prices so calculated are higher than maximum prices set under orders issued under this section. Any other manufacturer may apply for an individual adjustment under Supplementary Order No. 119 if, after the adjustment authorized for his industry by an order under this section, his maximum price still continues eligible for adjustment in accordance with the provisions of that supplementary order.

Orders issued under this section may require a manufacturer to arrange the production and distribution of his products so that they will be representative of his production and distribution in a specified past period for goods in a particular category. The Administrator may also require authorized price increases to be applied among articles or price lines in a manner consistent with the need, under the stabilization program, to maintain the production of lower-priced articles.

This amendment shall become effective October 3, 1945.

Issued this 3d day of October 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-18459; Filed, Oct. 3, 1945;
4:57 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[2d Rev. MFR 183; Amdt. 8]

MILK IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

10 F.R. 7635, 8933, 9223, 9227, 10224, 10976, 11666.

Second Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 4.9 (b) is amended to read as follows:

(b) *Fresh milk.* (1) Producers maximum prices for raw or pasteurized milk.

(i) For sales of milk by a producer to a store, the maximum price is the price set forth below for the zone in which the store is located.

Type of milk	Location of store	Maximum price per quart
Raw milk, loose.....	Zone I.....	\$0.14
	Zone II.....	.12
	Zone III.....	.105
Pasteurized milk, loose.....	All zones.....	.14

(ii) For sales of raw or pasteurized milk by a producer delivered to a consumer or volume customer, maximum prices for sales by the producer are the same as the maximum prices established for sales by distributors to a consumer or volume customer.

(iii) For sales of milk by a producer to a distributor, the producer's maximum price shall be a weighted average price computed by the distributor on a monthly basis. Each distributor shall determine the maximum price to be paid to each of his producers at the end of the month on the basis of the total sales made by the distributor during the month. The type of milk, whether raw or pasteurized, whether it is loose or in small containers, and the point of use of the milk are the factors to be used by the distributor in determining the maximum price to be paid to producers. The distributor shall compute monthly the total value of the milk sold by him at the rate of \$0.14 per quart for all pasteurized milk, \$0.14 per quart for all raw milk whose point of use is in Zone I, \$0.12 per quart for all raw milk whose point of use is in Zone II, and \$0.105 per quart for all raw milk whose point of use is in Zone III. The distributor shall determine the weighted average price, which represents the maximum price which may be paid to producers, by dividing the total value of the milk sold by him during the month by the total number of quarts sold by him during the month; and in order to arrive at the maximum payment which may be made to each producer, shall multiply the weighted average price by the total number of quarts supplied by each producer.

(iv) If, on sales of raw or pasteurized milk, to distributors or stores, the producer supplies a small container the producer's maximum price may be augmented by the following:

Size of container supplied by producer:	Maximum additions
Quart.....	\$0.01 per quart.
Pint.....	\$0.005 per pint.
Half pint.....	\$0.00375 per half pint.

(v) Distributors may make cash payments to producers at any time during a month, but such payments shall be subject to settlement at the end of such

month by determining the difference between the cash payments and the maximum payments computed by the method set forth above. The cash payments which may be made during the month to each producer shall not exceed the amount computed by multiplying the maximum price per quart in the lowest price zone in which any of the milk sold by the distributor finds its point of use by the total number of quarts sold to the distributor by the producer during the month.

Example: During a given month Producers A, B, C, and D supplied Distributor X with milk in the following amounts:

Producer A—3,500 quarts, loose.
Producer B—2,000 quarts, in quart containers.

Producer C—9,500 quarts, in pint containers.

Producer D—9,000 quarts, in half pint containers.

24,000 quarts.

In addition to the 24,000 quarts received from these producers, Distributor X sold 1,000 quarts of milk he himself produced. The total number of quarts sold during July by Distributor X was 25,000. Of this total 10,-

000 quarts was pasteurized so the value of this portion shall be computed at the rate of \$0.14 per quart. The point of use of the remaining 15,000 quarts was divided among the zones as follows:

Zone I, 8,000 quarts (rate of \$0.14 per quart).
Zone II, 5,000 quarts (rate of \$0.12 per quart).

Zone III, 2,000 quarts (rate of \$0.105 per quart).

The method to be used by Distributor X in computing the maximum price per quart of loose milk is set forth in the following table:

Type of milk	Points of use	Number of quarts sold by distributor	Rate	Value, computed by multiplying column 3 by column 4
Raw.....	Zone I.....	8,000	\$0.14	\$1,120.00
Raw.....	Zone II.....	5,000	.12	600.00
Raw.....	Zone III.....	2,000	.105	210.00
Pasteurized.....	All zones.....	10,000	.14	1,400.00
Total number of quarts sold.....		25,000		3,330.00

The weighted average price per quart is determined by dividing the total value by the total number of quarts sold:

$$\frac{3330}{25000} = .1332 \text{ maximum price per quart.}$$

Producer A's cash payment and total payment for the month is computed as follows:

$$3500 \times .105 = \$367.50 \text{ Cash payment.}$$

$$3500 \times .1332 = \$466.20 \text{ Total payment.}$$

Producer B's cash payment and total payment for the month is computed as follows:

$$2000 \times .105 = \$210.00 \text{ Cash payment}$$

$$2000 \times .1332 = 266.40$$

$$2000 \times .01 = 20.00 \text{ Maximum addition for quart container}$$

$$286.40 \text{ Total payment}$$

Producer C's cash payment and total payment for the month is computed as follows:

$$9500 \times .105 = \$997.50 \text{ Cash payment}$$

$$9500 \times .1332 = 1,265.40$$

$$19000 \times .005 = 95.00 \text{ Maximum addition for pint containers—9,500 quarts equals 19,000 pints}$$

$$1,360.40 \text{ Total payment}$$

Producer D's cash payment and total payment for the month is computed as follows:

$$9000 \times .105 = \$945.00 \text{ Cash payment}$$

$$9000 \times .1332 = 1,198.80$$

$$36000 \times .00375 = 135.00 \text{ Maximum addition for half-pint containers—9,000 qts. equals 36,000 half pints}$$

$$1,333.80 \text{ Total payment}$$

(2) Distributors and stores maximum prices for pasteurized milk.

Sales by distributors (all zones)	Quart	Pint	Half-pint
To volume customers and consumers (delivered):			
Loose.....	Cents 19	Cents 10	Cents 5
In small containers.....	20	10	5
To volume customers and consumers (not delivered):			
Loose.....	18	10	5
In small containers.....	19	10	5
To stores in small containers (delivered or not delivered):	16	8	4
Sales by stores (delivered or not delivered): To consumers in small containers.....	19	10	5

(3) Distributors and stores maximum prices for raw milk.

RAW MILK

	Points of use								
	Zone I			Zone II			Zone III		
	Quart	Pint	Half pint	Quart	Pint	Half pint	Quart	Pint	Half pint
SALES BY DISTRIBUTORS									
To stores, delivered or not delivered:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
Loose	14			12			10½		
In small containers	15	7½	4	13	6½	3½	11½	6	3
SALES BY DISTRIBUTORS AND STORES									
To volume customers delivered or not delivered:									
Loose	16½			14½			12½		
In small containers	17½	9	4½	15½	8	4	13½	7	3½
To consumers delivered or not delivered:									
Loose	17	9	5	15	8	4	13	7	4
In small containers	18	9	5	16	8	4	14	7	4

NOTE: The maximum price for milk sold in paper containers shall be the prices fixed in the above tables for milk sold in small containers plus 2¢ per quart as an allowance for the additional cost of the container.

(i) Deposit charges on containers. No deposit charge shall be made for any milk container with the exception of glass small containers furnished by the seller in connection with the sale of bottled milk. On such bottles a deposit of 10¢ may be imposed, which shall be refunded to the depositor upon the return of the bottle.

(ii) Charges for long distance deliveries on pasteurized milk. No charge for the transportation of milk shall be made or collected, except that in connection with the sale and delivery of pasteurized milk to the Armed Forces of the United States and to Municipal and Insular institutions the following charges shall be allowed:

(iii) The Puerto Rico Dairy, Inc., and Las Tres Monjitas Dairy may charge and collect, in addition to the applicable maximum price for milk not delivered, the following amounts for each truck trip involved in the delivery of pasteurized milk from their plants in San Juan and Rio Piedras:

	Per truck trip
To Borinquen Field	\$42.00
To Losey Field	32.00
To Henry Barracks	16.75
To Camp Tortuguero	16.25
To Fort Buchanan	12.50

(iv) In the event that delivery is made to more than one of the enumerated points in the course of a truck trip prior to returning to the plant, the total delivery charge shall not exceed the charge fixed per truck trip to the more distant point.

(v) On deliveries other than those specified above, the Director of the Office of Price Administration for the Territory of Puerto Rico may, upon application, authorize the charge and collection of an amount per truck trip, in addition to the applicable maximum price to cover the actual cost incurred in making such delivery.

(4) Registration and reports. (i) Every distributor of milk and every store in

which milk is sold shall file with the Office of Price Administration for the Territory of Puerto Rico at San Juan, Puerto Rico, on or before the 5th day of each successive month, a report of his operations for the preceding month upon Form No. PRM 1 duly filled out and signed either by himself or by his properly authorized agent.

(ii) Every producer and distributor of milk and every store in which milk is sold which has not registered upon Forms PRM 2 and PRM 3 duly filled out and signed either by himself or his properly authorized agent, shall immediately register upon such forms with his Local Board.

(iii) On and after the effective date of this regulation every person who becomes a producer, every person who becomes a distributor of milk, and every store which begins to sell milk shall immediately register at his Local Board upon Forms PRM 2 and PRM 3 duly filled out and signed either by himself or his properly authorized agent.

This amendment shall become effective as of October 8, 1945.

Issued this 4th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-18492; Filed, Oct. 4, 1945; 11:39 a. m.]

PART 1434—MATCHES

[MPR 365, Amdt. 4]

WOOD MATCHES AND RESALE BOOK MATCHES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 365 is amended in the following respects:

1. A new section designated section 2a is added to read as follows:

Sec. 2a. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after October 8, 1945,

¹ 8 F.R. 4721, 9520, 12560, 13712; 9 F.R. 3653.

and the transferee carries on the business or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee and his practice with respect to wood and resale book matches shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with section 9 shall be the same. The transferor shall either preserve and make available for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation 365.

2. Subparagraph (9) of section 12 (a) is amended to read as follows:

(9) "Strike-on-box" or "safety" wood matches are wood or veneer splint matches, packed at an average of forty (40) splints or lights per box and normally strikeable on the box only through special preparation of the match head and striking surface of the box.

3. Subparagraph (10) of section 12 (a) is amended to read as follows:

(10) "Resale book matches" shall include for the purposes of this regulation the following types of book matches:

(i) All paper book matches sold at the retail level except those specially initialed or monogrammed at the order of the purchaser.

(ii) Paper book matches bearing general advertising matter from which revenue is obtained independently of the price of the book matches.

(iii) Paper book matches bearing a patriotic slogan, emblem, design or pattern in place of or in connection with general advertising matter, which are for general distribution to or through a distributor or retailer.

(iv) Paper book matches commonly described as the "thank you" or "no print" type, ordinarily free from printing and for general distribution to and through a distributor or retailer. Included in this group are paper book matches bearing a manufacturer's stock cut or design, trade-mark, slogan, color, monogram or pattern from which an advertising revenue is not obtained by the manufacturer and which are for general distribution.

NOTE: The above classification shall also apply to matches specially treated to give off when lit any unusual odor or color, and to matches produced in books containing more or less than 20 lights. Excluded from "resale book matches" are pull quick matches and also special reproduction and monogrammed book matches except as described elsewhere in this subparagraph (10).

4. In section 12 (a), subparagraph (11) is revoked and a new subparagraph (11) is added to read as follows:

(11) "Caddy" means a paper or paper-board container of 50 book matches.

5. In section 12 (a), subparagraph (12) is redesignated (13) and a new sub-

paragraph (12) is added to read as follows:

(12) "Book match" or "book" means a combination of paper or paperboard lights with a paperboard cover and a friction lighting area. Unless otherwise stated in this regulation, it shall refer to a combination of twenty lights.

6. In Appendix A (c) (1), the opening clause is amended to read as follows:

(1) Retailers' maximum delivered prices, including the Federal tax, shall be as follows:

7. Appendix A (c) (2) is amended to read as follows:

(2) The term "chain stores and supermarkets" shall include all retail stores which are in a group of four (4) or more stores centrally owned, or any retail store, however owned or grouped, which individually did a gross sales volume of \$250,000 or more in the calendar year 1942.

8. Appendix A (c) (3) is amended to read as follows:

(3) The term "independent stores" shall include all retail stores, retail traders and retail peddlers not qualifying as chain stores or supermarkets, in accordance with the definition in subparagraph (2) above.

9. In Appendix B (c) (1), the opening clause is amended to read as follows:

(1) Retailers' maximum delivered prices, including the Federal tax, shall be as follows:

10. Paragraph (a) (1) of Appendix B is amended to read as follows:

(1) The manufacturer's maximum delivered price per case of 720 boxes shall be as follows: \$3.85 in lots of 11 cases or more. \$4.02 in lots of less than 11 cases.

11. In Appendix C (c), the headnote is amended to read as follows:

(c) Retailers' maximum delivered price, including the Federal tax.

12. In Appendix C (c) (1), a new subdivision (i) is added to read as follows:

(i) A retailer may sell loose books up to and including the value of five (5) cents. *Provided*, That in a sale at retail involving more than five (5) cents the maximum price for the number of books sold, if less than fifty, shall be in direct proportion to the retail maximum price for a caddy of book matches established in this section.

13. Appendix C (c) (2) is amended to read as follows:

(2) The term "chain stores and supermarkets" shall include all retail stores which are in a group of four (4) or more stores centrally owned, or any retail store, however owned or grouped, which individually did a gross sales volume of \$250,000 or more in the calendar year 1942.

14. Appendix C (c) (3) is amended to read as follows:

(3) The term "independent stores" shall include all retail stores, retail traders and retail peddlers not qualifying as chain stores or supermarkets, in accordance with the definition in subparagraph (2) above.

15. Appendices A and B are amended by adding footnote¹ to the headnote of each Appendix, to read as follows:

¹When the number of boxes per case and/or splints per box is more or less than that established in this regulation, the maximum price therefor shall be in direct proportion to the maximum price per case and/or box, respectively, as established in this appendix.

16. The headnote of Appendix C is amended by adding at the end thereof footnote¹ to read as follows:

¹When the number of caddies per case and/or lights per book is more or less than that established in this regulation, the maximum price therefor shall be in direct proportion to the maximum price per case and/or per caddy, respectively, as established in this Appendix.

17. The first sentences in Appendices A (a) (2) and B (a) (2) are amended to read as follows:

(2) Discounts for prompt payment shall be continued at not less than the customary percentage rate during March 1942, and shall be computed on the manufacturer's price exclusive of the Federal excise tax.

18. A new subparagraph (2) is added to paragraph (a) of Appendix C, to read as follows:

(2) Discounts for prompt payment shall be continued at not less than the customary percentage rate during March 1942, and shall be computed on the manufacturer's price exclusive of the Federal excise tax. The period for such discounts need not exceed ten (10) days, but must be at least that long.

This amendment shall become effective October 9, 1945.

Issued this 4th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-18493; Filed, Oct. 4, 1945; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMFR 165, Supp. Ser. Reg. 62]

HAND LAUNDRIES IN NEWARK, NEW JERSEY, AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 62 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and Executive Orders Nos. 9250, 9328, and 9599, Supplementary Service Regulation No. 62 is hereby issued. The specifications and standards set forth in this supplementary service regulation are those which prior to the issuance of the regulation, were in general use by the trade in the affected areas.

§ 1499.703 *Hand Laundries in the Newark, New Jersey, Area.* (a) *Maximum prices:* The maximum prices established by Revised Maximum Price Regulation No. 165 for hand laundry services sold by hand laundries in the Newark, New Jersey, area are hereby modified and henceforth shall be the prices set forth in Appendix A. Lower prices than those established by this regulation may be charged.

(b) *Definitions:* As used in this supplementary service regulation the term: "Hand laundry" means a retail laundry establishment receiving and distributing laundry, doing no washing by power driven machinery on the premises, generally finishing wearing apparel by hand ironing done on the premises, giving

only limited, if any, delivery service and employing 8 or less employees. This supplementary service regulation shall not apply where more than three retail laundry establishments are operated under the same ownership.

"Newark, New Jersey, Area" means and is limited to the following seven counties within the State of New Jersey: Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union.

"Shirts" as used in Appendix A means all shirts except the following: Shirts made of silk, wool, flannel, gabardine, rayon and other artificial fibers; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for those items which were filed by the individual laundry with the appropriate War Price and Rationing Board in accordance with Section 14 of Revised Maximum Price Regulation No. 165. If no such prices have been filed, the maximum price to be charged for all shirts, including those excepted from the definition, shall be the price established for shirts by Appendix A.

(c) *Posting requirements:* Within 30 days from the effective date of this supplementary service regulation, every hand laundry shall post on its premises in a place and a manner plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(d) *Elimination of individual adjustments:* Section 16 of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation as to the services listed herein; furthermore, any adjustment in prices heretofore granted to any hand laundry is hereby revoked as to the services listed in Appendix A.

(e) *Other services supplied by hand laundries:* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165, and any applicable supplementary service regulation.

APPENDIX A

Laundry service:	Price in cents
1. Shirts, plain.....	16
2. Handkerchief.....	3
3. Men's shorts.....	10
4. Undershirts, cotton.....	10
5. Undershirts, wool.....	15
6. Union suits, cotton.....	20
7. Union suits, wool.....	25
8. Socks.....	5
9. Sheets.....	13
10. Pillow cases.....	6
11. Towels—hand or kitchen.....	5
12. Towels—bath.....	6
13. Collars.....	5
14. Pajamas.....	25
15. Uniforms—maid or nurse.....	50
16. Trousers or slacks.....	35
17. Overalls.....	35
18. Overall pants.....	25
19. Overall jackets.....	25
20. Coveralls.....	45

This Supplementary Service Regulation No. 62 shall become effective October 9, 1945.

Issued this 4th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-18494; Filed, Oct. 4, 1945; 11:39 a. m.]

Chapter XXIII—Surplus Property Administration

[Special Order 23]

CITATION OF SURPLUS PROPERTY BOARD AND SURPLUS WAR PROPERTY ADMINISTRATION REGULATIONS AND NUMBERING OF SURPLUS PROPERTY ADMINISTRATION REGULATIONS

Public Law 181, 79th Congress, 1st Session, approved September 18, 1945, Provides, That:

SEC. 2 (a) Effective at the time the Surplus Property Administrator first appointed under this Act qualifies and takes office, the Surplus Property Board created by section 5 of the Surplus Property Act of 1944 is abolished, all of its functions are transferred to, and shall be exercised by, the Surplus Property Administrator,

(c) All regulations, policies, determinations, authorizations, requirements, designations, and other actions of the Surplus Property Board, made, prescribed, or performed before the transfer of functions provided by subsection (a) of this section shall, except to the extent rescinded, modified, superseded, or made inapplicable by the Surplus Property Administrator, have the same effect as if such transfer had not been made; but functions vested in the Surplus Property Board by any such regulation, policy, determination, authorization, requirement, designation, or other action shall, insofar as they are to be exercised after the transfer, be considered as vested in the Surplus Property Administrator.

On October 1, 1945, I, W. Stuart Symington, took office as Surplus Property Administrator pursuant to such law.

The Surplus Property Act of 1944 (58 Stat 765; 50 U.S.C. App. Sup. 1611) provides in section 35 thereof that:

All policies and procedures relating to surplus property prescribed by the Surplus War Property Administration, created by Executive Order Numbered 9425, dated February 19, 1944, or any other Government agency, in effect upon the effective date of this Act, and not inconsistent with this Act, shall remain in full force and effect unless and until superseded by regulations prescribed under this act.

Pursuant to the authority vested in me by Public Law 181 and by the Surplus Property Act of 1944, cited above, *It is hereby ordered, That:*

1. The outstanding regulations, orders, and special orders of the Surplus Property Board shall, until revised or superseded, be cited by the designations given them by the Surplus Property Board.

2. The outstanding regulations of the former Surplus War Property Administration shall, until superseded, be cited by the designations given them by the Surplus War Property Administration.

3. Regulations, orders, and special orders to be issued by the Surplus Property Administrator will be numbered in sequence following presently outstanding regulations, orders, and special orders of the Surplus Property Board, and Surplus Property Board regulations, orders, and special orders when amended or revised by the Surplus Property Administrator will be reissued under the same numbers assigned to them by the Sur-

plus Property Board, to the end that all regulations, orders, and special orders of the Surplus Property Board and the Surplus Property Administrator shall together form a continuous numerical series.

W. STUART SYMINGTON,
Administrator.

OCTOBER 2, 1945.

[F. R. Doc. 45-18510; Filed, Oct. 4, 1945; 11:51 a. m.]

[SPB Rev. Reg. 8, Correction]

PART 8308—FOREIGN DISPOSAL

SPB Revised Regulation 8, September 25, 1945, entitled "Foreign Disposal" is hereby corrected in the following respects:

1. The third sentence of the preamble is corrected to read as follows:

Order 1 under this part, June 7, 1945 (10 F.R. 7119) and Order 3 under this part, August 7, 1945 (10 F.R. 9929) are hereby rescinded as of the effective date of this revision, but Order 2 under this part, June 7, 1945 (10 F.R. 7119, 12047) shall remain in effect as revised and amended September 25, 1945 (10 F.R. 12454).

2. The effective date is corrected to read as follows:

This revision of this part shall become effective when the transfer of the functions of the Army-Navy Liquidation Commissioner becomes effective pursuant to the terms of Executive Order 9630, September 27, 1945 (10 F.R. 12245). Until such date Surplus Property Board Revised Regulation 8, August 1, 1945 (10 F.R. 9540, 10031, 11198) and Orders 1 and 2 under this part, June 7, 1945 (10 F.R. 7119) shall continue in effect.

W. STUART SYMINGTON,
Administrator.

OCTOBER 3, 1945.

[F. R. Doc. 45-18508; Filed, Oct. 4, 1945; 11:51 a. m.]

[SPA Reg. 12]

PART 8312—ALUMINUM SCRAP

This part contains Surplus Property Administration Regulation 12, entitled "Aluminum Scrap". Surplus War Property Administration Regulation 5 (9 F.R. 12098) and Surplus Property Board Special Order 14 (10 F.R. 9200) are hereby superseded and rescinded as of the effective date of this part.

- Sec.
- 8312.1 Definitions.
 - 8312.2 Scope.
 - 8312.3 Minimum prices.
 - 8312.4 Shipment to storage locations.
 - 8312.5 Sales from storage locations.
 - 8312.6 Records and reports.
 - 8312.7 Regulations by agencies to be reported to Surplus Property Administrator.
 - 8312.8 Amendment or repeal.

AUTHORITY: §§ 8312.1 to 8312.8 inclusive, issued under the Surplus Property Act of

1944, 58 Stat. 765, 50 U.S.C. App. Sup. 1611, and under Pub. Law 181, 79th Cong. 1st Sess.

§ 8312.1 *Definitions*—(a) *Terms defined in act.* Terms not defined in paragraph (b) of this section which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given to them in the act.

(b) *Other terms.* (1) "Scrap" means property that has no reasonable prospect of sale except for its basic material content. Property shall be considered to be aluminum scrap only when its metal content is at least 50% aluminum by weight.

§ 8312.2 *Scope.* This part applies to: (a) retentions and sales by contractors of aluminum scrap in contractor inventories under the control of the War Department or the Navy Department pursuant to §§ 8309.8 and 8309.11;¹ (b) sales of aluminum scrap by the War Department and Navy Department as owning agencies under § 8309.17;² and (c) sales of aluminum scrap by disposal agencies under § 8301.18.³ This part does not apply to: (a) aluminum scrap sold outside of the continental United States; (b) aluminum borings and turnings; (c) cases in which the amount of aluminum scrap available for sale at any one place is estimated to be 10,000 pounds or less; or (d) sales or retentions of aluminum scrap in contractor inventories pursuant to §§ 8309.9 or 8309.10.⁴

§ 8312.3 *Minimum prices.* Aluminum scrap, pig or ingot (as listed below) shall be retained at a storage location as specified in § 8312.4, unless at least the following prices can be obtained per pound f. o. b. shipping point for the named grades of such material:

- | | |
|--|-----|
| (a) Pig or ingot resulting from melting of obsolete or wrecked aircraft. | 6¢ |
| (b) Segregated solids (plant or production scrap or any other solids consisting of only one alloy and so identified); | 6¢ |
| Pure cable (clean and free of iron); | |
| Foil (clean and new). | |
| (c) Mixed solids (plant or production scrap consisting of an unknown alloy or consisting of more than one alloy; | |
| Obsolete castings and forgings (alloy unknown or not segregated); | 5¢ |
| Obsolete pistons (alloy unknown or not segregated); | |
| Any other clean solids free of all metal other than aluminum. | |
| (d) Solids mixed with foreign materials (any scrap, other than as defined in paragraphs (e) and (f), which is contaminated by or mixed with foreign materials). | 4¢ |
| (e) Prepared aircraft scrap (not including engines or engine parts) recovered from wrecked, crashed, obsolete, or uncompleted airframes cut or sheared into pieces approximately 48" x 60" x 24" or less and shipped in 30,000 lb. minimum cars. | 2½¢ |
| (f) Wrecked, crashed, obsolete or uncompleted airframes to be scrapped (without preparation of any kind). | 1¼¢ |

¹ SPB Reg. 9 (10 F.R. 7413, 8866, 11402).

² SPB Reg. 1 (10 F.R. 3764, 4356, 10398).

³ On amounts below 30,000 pounds, if shipment is made by rail, the Government will absorb any freight charges above the minimum rate per pound.

§ 8312.4 *Shipment to storage locations.* Aluminum scrap, pig or ingot which is not sold because of inability to obtain the minimum prices specified in § 8312.3 shall be declared to the Reconstruction Finance Corporation as surplus. When storage space is unavailable at the point of generation, such material shall, pursuant to shipping instructions of Reconstruction Finance Corporation, be delivered to the nearest storage location operated by or under the direction of the Reconstruction Finance Corporation. All such shipments shall be covered by shipping documents of the owning agency, with copies to the Reconstruction Finance Corporation.

§ 8312.5 *Sales from storage locations.* Any aluminum scrap in storage locations may be sold by Reconstruction Finance Corporation as disposal agency, at or above the minimum prices specified in § 8312.3 plus such amount as may be determined by Reconstruction Finance Corporation to compensate, in whole or in part, for the expenses to the Government of transporting, handling and storing such scrap and any other charge incidental thereto.

§ 8312.6 *Records and reports.* The War Department, Navy Department, Reconstruction Finance Corporation, and any other Government agency acting under this part shall prepare and maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of the act. Reports shall be prepared and filed with the Surplus Property Administrator in such manner as may be specified by order issued under this part subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 8312.7 *Regulations by agencies to be reported to Surplus Property Administrator.* The War Department, Navy Department, Reconstruction Finance Corporation, and any other Government agency acting under this part, shall file with the Surplus Property Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

§ 8312.8 *Amendment or repeal.* This part, and any order issued under it, shall be subject to amendment or repeal by the Surplus Property Administrator by any regulation, order, or other action duly published in the FEDERAL REGISTER.

This part shall become effective October 10, 1945.

W. STUART SYMINGTON,
Administrator.

OCTOBER 2, 1945.

[F. R. Doc. 45-18509; Filed, Oct. 4, 1945; 11:51 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—REGULATIONS FOR SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

INLAND WATERWAY FROM CAPE COD BAY TO BUZZARDS BAY, MASS., CAPE COD CANAL; PILOT REQUIREMENTS

Pursuant to the authority contained in section 1, Title II, of the Espionage Act, approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (50 U.S.C. 191, 191a) and by virtue of Proclamation 2412, dated June 27, 1940 (3 CFR Cum. Supp.) and Executive Order 8929, dated November 1, 1941 (3 CFR Cum. Supp.), the regulations relating to the control of vessels in the navigable waters of the United States, are amended as follows, effective upon publication in the FEDERAL REGISTER:

Section 6.1-23 *Inland Waterway from Cape Cod Bay to Buzzards Bay, Massachusetts, Cape Cod Canal; Pilot Requirements* (formerly § 7.21, 7 F.R. 4547), is hereby rescinded.

JAMES FORRESTAL,
Secretary of the Navy.

Approved: September 29, 1945.

HARRY TRUMAN,
The White House.

[F. R. Doc. 45-18487; Filed, Oct. 4, 1945; 11:33 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service, Bureau of the Public Debt.

[1945 Dept. Circ. 779]

PARTIAL REDEMPTION, BEFORE MATURITY, OF 2¾ PER CENT HOUSING INSURANCE FUND DEBENTURES, SERIES D

NOTICE OF THIRD CALL

OCTOBER 2, 1945.

I. *Notice of third call for partial redemption before maturity, of 2¾ percent Housing Insurance Fund Debentures, Series D.*

The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Housing Insurance Fund Debentures, Series D:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Housing Insurance Fund Debentures, Series D, of the denominations and serial numbers designated below, are hereby called for re-

demption, at par and accrued interest, on January 1, 1946, on which date interest on such debentures shall cease:

2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES D

Denomination	Serial numbers (All numbers inclusive)
\$50.....	2 to 5
\$100.....	8 to 25
\$500.....	2 to 5
\$1,000.....	7 to 27
\$5,000.....	3 to 5
\$10,000.....	509 to 754

The debentures first issued as determined by the serial numbers were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after October 1, 1945. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1945, and provision will be made for the payment of final interest due on January 1, 1946, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from October 1, 1945 to December 31, 1945, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1946, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. *Transactions in third-called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on January 1, 1946, are hereby designated third-called 2¾ percent Housing Insurance Fund Debentures, Series D, and are hereinafter referred to as third-called debentures.

2. Transfers and denominational exchanges in third-called debentures will terminate at the close of business on September 30, 1945.

III. *Redemption or purchase.* 1. Holders of third-called debentures will be entitled to have such debentures redeemed and paid at par on January 1, 1946, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on third-called debentures will cease on January 1, 1946.

2. Holders of third-called debentures have the privilege of presenting such debentures at any time from October 1 to December 31, 1945, inclusive, for purchase at par and accrued interest, at the rate of \$0.074728 per \$1,000 per day from July 1, 1945, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of third-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of third-called debentures will be governed by the general regulations of the Treasury De-

partment with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Third-called debentures presented for redemption on January 1, 1946, or for purchase from October 1 to December 31, 1945, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form PD 2002 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on January 1, 1946, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of _____," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any third-called debentures, whether purchased prior to or redeemed on or after January 1, 1946, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. A third-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after January 1, 1946, upon an appropriate assignment for that purpose

executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to January 1, 1946, and in case of assignments for redemption on or after January 1, 1946, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of third-called debentures on January 1, 1946, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before December 1, 1945. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. General provisions. 1. Any further information which may be desired regarding the redemption of third-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of third-called debentures.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 45-18488; Filed, Oct. 4, 1945;
11:38 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 1778168]

CALIFORNIA

NOTICE OF FILING OF PLATS OF SURVEY SEPTEMBER 19, 1945.

Notice is given that the three plats of survey of islands Nos. 45 to 503, inclusive, in the Pacific Ocean, in theoretical secs. 21, 22, 23, 26 and 27, T. 16 S., R. 1 W.,

M. D. M., California, accepted April 2, 1943, will be officially filed in the district land office at Sacramento, California, at 10:00 a. m. on November 29, 1945.

These islands range in size from 0.01 to 3.12 acres, the total area being 18.47 acres, and are covered by application Sacramento 025451, filed April 17, 1930, by the State of California, through the Chairman of the State Park Commission, to purchase under the recreational act of June 14, 1926 (44 Stat. 741; 43 U.S.C. sec. 869).

By Executive Order No. 5326 of April 14, 1930, subject to valid existing rights, all unreserved islands, rocks and pinnacles situated in the Pacific Ocean off the coast of California were temporarily withdrawn from settlement, location, sale or entry, for classification and in aid of legislation.

On petition of the State of California, through its Park Commission, the islands represented by these plats were withdrawn by Recreational Withdrawal No. 51 of December 21, 1932, under the provisions of the act of June 14, 1926, from all forms of appropriation under the public land laws, except as provided in that act, subject to prior valid claims initiated and maintained pursuant to law, the withdrawal to become effective upon release of the islands from the withdrawal made by Executive Order No. 5326 of April 14, 1930. The last mentioned withdrawal was revoked by Executive Order No. 5983 dated December 23, 1932, in so far as it affects the islands covered by Recreational Withdrawal No. 51 of December 21, 1932.

Valid rights, if any, to these islands existing on April 14, 1930, may be asserted by the filing of application under any appropriate public land law within 90 days from the date of filing of the plats.

All inquiries relating to the islands should be addressed to the Register, District Land Office, at Sacramento, California.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-18423; Filed, Oct. 3, 1945;
4:12 p. m.]

[Misc. 2063283]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

SEPTEMBER 19, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

G. AND S. R. M.

T. 7 N., R. 11 W., Sec. 31, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
T. 2 S., R. 3 W., Sec. 2, S $\frac{1}{2}$ N $\frac{1}{2}$

The area described contains 280 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals,

¹ Filed as part of the original document.

shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L.D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-18422; Filed, Oct. 3, 1945; 4:12 p. m.]

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[Docket No. AO 86-A 5]

OMAHA-COUNCIL BLUFFS MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement and order regulating the handling of milk in the Omaha-Council Bluffs marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp., 900.1 et seq., 10 F.R. 11791), notice is hereby given of a hearing to be held in the Federal Court Room, Post Office Building, Omaha, Nebraska, beginning at 10 a. m., c. s. t., October 12, 1945, with respect to proposed amendments to the tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. The amendments are proposed by the Iowa-Nebraska Non-Stock Cooperative Milk Producers' Association and are set forth below.

Delete § 935.6 and substitute therefor the following:

§ 935.6 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 935.10 not less than the following prices for milk of 3.8 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be the basic price computed pursuant to (d) of this section, plus 75 cents.

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be the basic price computed pursuant to (d) of this section, plus 40 cents.

(c) *Class III milk.* The price per hundredweight for Class III milk during each delivery period shall be computed by the market administrator as follows: multiply by 3.8 the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture for the delivery period during which such milk is received, plus or minus 0.95 cents per hundredweight for each 1 cent that such average price of 92-score butter is above or below 20 cents, add 21 cents, and add a figure determined as follows: add 3 cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption is above 7 cents per pound. For purposes of determining this adjustment, the price per pound of nonfat dry milk solids to be used shall be the arithmetical average of the carlot prices for nonfat dry milk solids, both spray and roller process, for human consumption delivered at Chicago, as reported by the

United States Department of Agriculture during the delivery period, including in such average the quotations for any part of the preceding delivery period which were not published and available for the price determination of such nonfat dry milk solids for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for nonfat dry milk solids for human consumption delivered at Chicago, the average of the carlot prices for nonfat dry milk solids for human consumption f. o. b. manufacturing plant, as reported by the United States Department of Agriculture for the Chicago area, shall be used. In the latter event such price shall be subject to the following adjustment: add or subtract 3 cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption, f. o. b. manufacturing plant, is above or below 6 cents per pound.

(d) *Basic price.* The basic price to be used in determining the Class I and Class II prices shall be either the Class III price computed pursuant to (c) of this section or that computed in the following manner, whichever is higher: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the next preceding delivery period at the following plants:

Concern:	Location of plant
Carnation Milk Co.....	Northfield, Minn.
Fort Dodge Creamery Co.	Fort Dodge, Iowa.
Carnation Milk Co.....	Waverly, Iowa.
Amboy Milk Products Co.	Amboy, Ill.
Borden Co.....	Dixon, Ill.
Borden Co.....	Sterling, Ill.
Carnation Milk Co.....	Oregon, Ill.
Dean Milk Co.....	Belvidere, Ill.
Dean Milk Co.....	Pearl City, Ill.
Dean Milk Co.....	Pecatonica, Ill.
Libby McNeil & Libby Co.	Morrison, Ill.
Pet Milk Co.....	Schullsburg, Wis.
United Milk Products Co.	Argo, Ill.

and divide by 3.5 and multiply by 3.8.

(e) *Emergency provision.* Whenever the Secretary finds and announces that the Class I and Class II prices computed for any delivery period pursuant to (a) and (b) of this section are not in the public interest, the Class I and Class II prices for such delivery period shall be the same as the Class I and Class II prices for the previous delivery period.

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: October 3, 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator for Regulatory and Marketing Service matters, Production and Marketing Administration.

[F. R. Doc. 45-18420; Filed, Oct. 3, 1945; 3:26 p. m.]

[Docket No. AO 122-A 4]

SIOUX CITY, IOWA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement and order regulating the handling of milk in the Sioux City, Iowa, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended, (7 CFR, Cum. Supp., 900.1 et seq., 10 F.R. 11791), notice is hereby given of a hearing to be held in the Federal Court Room, Post Office Building, Sioux City, Iowa, beginning at 10 a. m., C. s. t., October 10, 1945, with respect to proposed amendments to the tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Sioux City, Iowa, marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. The amendments are proposed by the Sioux City Milk Producers' Association and are set forth below.

Delete § 948.6 and substitute therefor the following:

§ 948.6 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 948.10 not less than the following prices for milk of 3.5 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be the basic price computed pursuant to (d) of this section, plus 80 cents.

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be the basic price computed pursuant to (d) of this section, plus 55 cents.

(c) *Class III milk.* The price per hundredweight for Class III milk shall be the price resulting from the following computation by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the next preceding delivery period at the following plants:

Concern:	Location of plant
Carnation Milk Co.	Northfield, Minn.
Fort Dodge Creamery Co.	Fort Dodge, Iowa.
Carnation Milk Co.	Waverly, Iowa.
Amboy Milk Products Co.	Amboy, Ill.
Borden Co.	Dixon, Ill.
Borden Co.	Sterling, Ill.
Carnation Milk Co.	Oregon, Ill.
Dean Milk Co.	Belvidere, Ill.
Dean Milk Co.	Pearl City, Ill.
Dean Milk Co.	Pecatonica, Ill.
Libby, McNeil & Libby Co.	Morrison, Ill.
Pet Milk Co.	Schullsburg, Wis.
United Milk Products Co.	Argo, Fey, Ill.

(d) *Basic price.* The basic price to be used in determining the Class I and Class II prices shall be either the price for Class III milk computed pursuant to (c) of this section or the price resulting from the following formula, whichever is the higher: multiply by 3.5 the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture for the delivery period during which such milk is received, plus or minus 0.95 cents per hundredweight for each 1 cent that such average price of 92-score butter is above or below 20 cents, add 21 cents, and add a figure determined as follows: add 3 cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption is above 7 cents per pound. For purposes of determining this adjustment, the price per pound of nonfat dry milk solids to be used shall be the arithmetical average of the carlot prices for nonfat dry milk solids, both spray and roller process, for human consumption delivered at Chicago, as reported by the United States Department of Agriculture during the delivery period, including in such average the quotations for any part of the preceding delivery period which were not published and available for the price determination of such nonfat dry milk solids for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for nonfat dry milk solids for human consumption delivered at Chicago, the average of the carlot prices for nonfat dry milk solids for human consumption, f. o. b. manufacturing plant, as reported by the United States Department of Agriculture for the Chicago area, shall be used. In the latter event such price shall be subject to the following adjustment: add or subtract 3 cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption, f. o. b. manufacturing plant, is above or below 6 cents per pound.

(e) *Emergency provision.* Whenever the Secretary finds and announces that the Class I and Class II prices computed for any delivery period pursuant to (a) and (b) of this section are not in the public interest, the Class I and Class II prices for such delivery period shall be the same as the Class I and Class II prices for the previous delivery period.

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: October 3, 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator for Regulatory and Marketing Service Matters, Production and Marketing Administration.

[F. R. Doc. 45-18421; Filed, Oct. 3, 1945; 3:26 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2072]

BRITISH OVERSEAS AIRWAYS CORP.

NOTICE OF HEARING

In the matter of the application of British Overseas Airways Corporation for amendment of its transatlantic foreign air carrier permit to authorize air transportation between Trinidad and Baltimore, Md.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 (a) and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on October 8, 1945, at 2:30 o'clock p. m., Room 5132, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner J. S. Keith.

Dated: Washington, D. C., October 3, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-18511; Filed, Oct. 4, 1945; 12:00 m.]

FEDERAL POWER COMMISSION.

[Docket No. G-627, G-635]

PITTSBURGH & WEST VIRGINIA GAS CO., AND KENTUCKY WEST VIRGINIA GAS CO.

ORDER FIXING DATE FOR RESUMPTION OF HEARINGS

OCTOBER 3, 1945.

City of Pittsburgh v. Pittsburgh & West Virginia Gas Company, Kentucky West Virginia Gas Company, Defendant; Docket No. G-627; in the matter of Pittsburgh & West Virginia Gas Company, Kentucky West Virginia Gas Company; Docket No. G-635.

The Commission orders that:

The hearings in the above-entitled matters, heretofore postponed by the Trial Examiner on September 24, 1945, subject to further order of the Commission, be resumed on October 22, 1945, at 10:00 a. m. (e. s. t.) in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-18483; Filed, Oct. 4, 1945; 11:16 a. m.]

[Docket G-654]

HOPE NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

OCTOBER 3, 1945.

Upon consideration of the application filed on August 29, 1945, by the Hope Natural Gas Company for a certificate of public convenience and necessity pur-

suant to section 7 of the Natural Gas Act, as amended, to authorize the construction, operation and abandonment of the following described facilities:

(1) The construction and operation of five steam-engine driven compressors of 2,000 horsepower each and other auxiliary compressor station equipment at its Hastings compressor station in Wetzel County, West Virginia;

(2) The abandonment of twelve existing compressor units aggregating 17,025 horsepower and other auxiliary equipment and structures at its Hastings compressor station in Wetzel County, West Virginia.

The Commission orders that:

(a) A public hearing be held commencing on October 19, 1945, at 10 a. m. in the Hearing Room of the Federal Power Commission, Hurley Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(b) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-18484; Filed, Oct. 4, 1945;
11:16 a. m.]

[Docket No. G-575]

TENNESSEE NATURAL GAS LINES, INC. AND
TENNESSEE GAS AND TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

OCTOBER 3, 1945.

Upon consideration of the amended and supplemental application filed September 18, 1945, by Tennessee Natural Gas Lines, Inc. (Applicant) for (1) a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 14 miles of 8 $\frac{3}{4}$ -inch O. D. transmission pipeline extending from a point of interconnection with the main 24-inch transmission pipeline of Tennessee Gas and Transmission Company near the village of Westernia, Cheatham County, Tennessee, and thence extending in a southeasterly direction to a city gate interconnection with the facilities of Nashville Gas and Heating Company, near the village of Bordeaux, Davidson County, Tennessee; and (2) an order under section 7 (a) of the act directing Tennessee Gas and Transmission Company to establish physical connection of its transportation facilities with the proposed facilities of Applicant, and to sell natural gas to Applicant for resale by the latter to Nashville Gas and Heating Company;

It appears to the Commission that:

(a) On August 30, 1944, Applicant filed an application in Docket No. G-575 for a certificate of public convenience and necessity to authorize the construction and operation of approximately 17 miles of 10 $\frac{3}{4}$ -inch transmission pipeline beginning at a proposed point of connection with the pipeline of Tennessee Gas and Transmission Company near Ashland

City, Tennessee, and extending in a southeasterly direction to Nashville, Tennessee.

(b) Such application was consolidated for purposes of hearing with the applications of Kentucky Natural Gas Corporation in Docket Nos. G-553 and G-558, and Louisville Gas and Electric Company in Docket No. G-565, and a hearing on those applications commenced October 19, 1944. During the hearing, counsel for Applicant moved for a continuance of the proceeding in Docket No. G-575 and a separate hearing, to be held at a date to be thereafter fixed by the Commission. Such motion was granted by the chief trial examiner.

(c) Applicant initially proposes to transport approximately 2,000 mcf of natural gas per day through the proposed facilities to the Nashville Gas and Heating Company for use by the latter to enrich its manufactured gas. The Nashville Gas and Heating Company proposes to convert its system to the distribution of straight natural gas in the City of Nashville, Tennessee, in the spring or summer of 1946, at which time it is expected that it will purchase approximately 1,605,000 mcf of natural gas annually from Applicant.

The Commission orders that:

A public hearing be held commencing on October 22, 1945, at 10 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-18485; Filed, Oct. 4, 1945;
11:16 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4970]

HELEN POLKA

In re: Objects of art owned by Helen Polka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Helen Polka, whose last known address is Bischleben, Erfurt, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That Helen Polka is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: Objects of art located in the Deerpath Theatre, Lake Forest, Illinois, particularly described in Exhibit A, attached hereto and by reference made a part hereof,

is property within the the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

1. One oil painting, "Suede", by E. Sparre, 1878 exposition universelle Medaille de 1st classe.
2. One oil painting, "Lady with Mirror".
3. One oil painting, "Shepherd with Sheep" (antique).
4. One oil painting, "Seashore French Coast".
5. One oil painting, "Battle Scene".
6. One oil painting, "Lady" by M. Stifter.
7. Two oil paintings (small).
8. Two bronze statuettes (French, large), "Duet", "Hamar", by Van Der Strater.
9. Three needle point high back chairs (English), by F. F. Bronley.
10. One antique throne chair, ivory inlaid (carved).
11. Two large antique oak chests.
12. One oil painting, "Giacomo Cortesi Bourguignon" (Duke of Tuscany Collection, 1621-1676).

[F. R. Doc. 45-18369; Filed, Oct. 3, 1945;
11:10 a. m.]

[Vesting Order 4981]

CARL RUDOLPH BECKER

In re: Pearls and claim owned by Carl Rudolph Becker, also known as Carl Rudolph Becker, G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carl Rudolph Becker, also known as Carl Rudolph Becker, G. m. b. H., is a business enterprise organized under the laws

of Germany, with its principal place of business at Idar, Germany, and is a national of a designated enemy country (Germany);

2. That Carl Rudolph Becker, also known as Carl Rudolph Becker, G. m. b. H., is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Pearls, particularly described in Exhibit A, attached hereto and by reference made a part hereof, in the possession of Adolf Meller Company, 387 Charles Street, Providence, Rhode Island, and

b. All right, title, interest and claim of any name or nature whatsoever of Carl Rudolph Becker, also known as Carl Rudolph Becker, G. m. b. H., in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Carl Rudolph Becker, also known as Carl Rudolph Becker, G. m. b. H., by Adolf Meller Company, Providence, Rhode Island, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Genuine Half Pearls IIB Quality

2,000 pcs. 6 PP.
2,000 pcs. 7 PP.
2,000 pcs. 8 PP.
2,000 pcs. 9 PP.
2,000 pcs. 10 PP.

(The following were sieved from 2 PP.)

5,837 pcs. 1 PP.
11,647 pcs. 2 PP.
345 pcs. 3 PP.

17,829 pcs.

Round Pearls (Genuine) Tinted

50.— Cts. 3-4 PP.
77.50 Cts. 5 PP.
250.— Cts. 6 PP.
185.— Cts. 7 PP.
170.— Cts. 8 PP.
230.— Cts. 9 PP.
210.— Cts. 10 PP.
225.— Cts. 11 PP.
72.50 Cts. 12 PP.

1,476.—

[F. R. Doc. 45-18370; Filed, Oct. 3, 1945;
11:10 a. m.]

[Vesting Order 5187]

HERMANN DUCHROW

In re: Interests of Hermann Duchrow in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Hermann Duchrow is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Hermann Duchrow;

3. That the property described as follows: The undivided one-half ($\frac{1}{2}$) interest of Hermann Duchrow in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,203,005; 6-4-40; Erich Wittenberg and Hermann Duchrow; Separable fastener and detachable and connecting member therefor, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, to which the owners of such undivided interest is entitled,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such

property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18371; Filed, Oct. 3, 1945;
11:10 a. m.]

[Vesting Order 5188]

ERNST JORDAN

In re: Patent Nos. 2,041,444 and 2,188,950, owned by Ernst Jordan.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Ernst Jordan is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Ernst Jordan;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,041,444; 5-19-36; Adolf Supplie; Fastening device.
2,188,950; 2-6-40; Ernst Jordan; Snap fastener.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate

that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18372; Filed, Oct. 3, 1945; 11:10 a. m.]

[Vesting Order 5189]

HERMANN SCHULTZ

In re: Patent No. 2,144,857, owned by Hermann Schultz.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Hermann Schultz is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Hermann Schultz;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date, Inventor and Title

2,144,857; 1-24-39; Hermann Schultz; sand-glass,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18373; Filed, Oct. 3, 1945; 11:10 a. m.]

[Vesting Order 5195]

BORIS MALISHEV ET AL.

In re: Interests of Boris Malishev in patents and in an agreement dated August 9, 1939 with Universal Development Corporation and John P. Nikonow.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Boris Malishev is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraph 3 (a) and 3 (b) hereof is property of Boris Malishev;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien

Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) The undivided 63% per cent interest owned by Boris Malishev in and to the following United States Letters Patent:

Patent No., Date, Inventor and Title

2,148,378; 2-21-39; Boris Malishev; Catalysts.

2,148,634; 2-28-39; Boris Malishev; Catalysts.

2,188,057; 1-23-40; Boris Malishev; Process for catalytic conversion of gaseous hydrocarbons.

2,223,524; 12-3-40; Boris Malishev; Method of refining mineral oil.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled.

(b) All interests and rights, including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Boris Malishev by virtue of an agreement dated August 9, 1939 (including all modifications thereof and supplements thereto, if any) by and between Boris Malishev, Universal Development Corporation and John P. Nikonow, which agreement relates, among other things, to United States Letters Patent No. 2,148,378.

[F. R. Doc. 45-18374; Filed, Oct. 3, 1945; 11:11 a. m.]

[Vesting Order 5196]

JOHN ERNST ROHRS and MARTHA STRATHMANN

In re: Interests of John Ernst Rohrs in an agreement with Martha Strathmann dated January 31, 1940.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That John Ernst Rohrs is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of John Ernst Rohrs;

3. That the property described as follows: All interests and rights, including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described together with the right to sue therefor, created in John Ernst Rohrs by virtue of an agreement dated January 31, 1940 (including all modifications and assignments thereof and supplements thereto, if any) by and between John Ernst Rohrs and Martha Strathmann, which agreement relates, among other things, to United States Letters Patent No. 2,049,869,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18375; Filed, Oct. 3, 1945;
11:11 a. m.]

[Vesting Order 5197]

PAUL F. PEDDINGHAUS

In re: Interest in Patent No. 2,232,328 owned by Paul F. Peddinghaus.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Paul F. Peddinghaus is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Paul F. Peddinghaus;

3. That the property described as follows: The undivided one-half (½) interest owned by Paul F. Peddinghaus in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title
2,232,328; 2-18-41; Hans Klopstock and Paul F. Peddinghaus; Apparatus for coating with metal.

No. 196—4

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, to which the owner of such interest is entitled,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18376; Filed, Oct. 3, 1945;
11:11 a. m.]

[Vesting Order 5198]

AUGUST KLONNE AND STACEY BROS. GAS
CONSTRUCTION CO.

In re: Interests of the firm of August Klonne in an agreement of June 4, 1928 and supplemental agreement of July 3, 1931 with The Stacey Brothers Gas Construction Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That the firm of August Klonne is a business enterprise organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of the firm of August Klonne;

3. That the property described as follows: All interests and rights, including all royalties and other monies payable or held with

respect to such interests and rights and all damages for breach of the agreement herein-after described, together with the right to sue therefor, created in the firm of August Klonne by virtue of an agreement dated as of April 16, 1928 and acknowledged June 4 and June 19, 1928 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a supplemental agreement between the parties thereto dated as of March 16, 1931 and acknowledged July 3, 1931) by and between the firm of August Klonne and The Stacey Brothers Gas Construction Company, which agreement relates, among other things, to United States Letters Patent No. 1,693,468,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18377; Filed, Oct. 3, 1945;
11:11 a. m.]

[Vesting Order 5201]

HERMANN HARZ AND RADIO PATENTS CORP.

In re: Interest of Hermann Harz in patents and in agreements with Radio Patents Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Hermann Harz is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraphs 3 (a), 3 (b) and 3 (c) hereof is property of Hermann Harz;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) The undivided one-half ($\frac{1}{2}$) interest of Hermann Harz in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

1,906,210; 4-25-33; Hermann Harz; Method and means for electric voltage regulation, 2,039,314; 5-5-36; Hermann Harz; Electrical system,

2,041,177; 5-19-36; Hermann Harz, voltage regulator,

including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, to which the owner of such undivided interest is entitled.

(b) All interests and rights, including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Hermann Harz by virtue of an agreement

entered into on February 21, 1933, between Hermann Harz and Radio Patents Corporation (including all modifications thereof and supplements thereto, if any) which agreement relates, among other things, to United States Letters Patent No. 2,041,177.

(c) All interests and rights, including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Hermann Harz by virtue of an agreement entered into on March 21, 1934, between Hermann Harz and Radio Patents Corporation (including all modifications thereof and supplements thereto, if any) which agreement relates, among other things, to United States Letters Patent No. 2,039,314.

[F. R. Doc. 45-18378; Filed, Oct. 3, 1945; 11:11 a. m.]

[Vesting Order 5205]

HANS E. HENRICH ET AL.

In re: Interests of Hans E. Henrich and Oskar Vierling in an agreement with Benjamin F. Miessner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Hans E. Henrich and Oskar Vierling are residents of Germany and nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Hans E. Henrich and Oskar Vierling;

4. That the property described as follows: All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans E. Henrich and Oskar Vierling by virtue of an agreement created by a letter dated January 21, 1938 from Benjamin F. Miessner to Oskar Vierling and a letter dated March 5, 1938 from Oskar Vierling to Benjamin F. Miessner (including all modifications and assignments thereof and supplements thereto, if any) by and between Hans E. Henrich and Oskar Vierling on the one part and Benjamin F. Miessner on the other, which agreement relates, among other things, to United States Letters Patent No. 2,297,218,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18379; Filed, Oct. 3, 1945; 11:11 a. m.]

[Vesting Order 5206]

ERICH M. STEFFEN

In re: Interests of Erich M. Steffen in patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Erich M. Steffen is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraphs 3 (a), 3 (b) and 3 (c) hereof is property of Erich M. Steffen;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) The undivided one-twelfth ($\frac{1}{12}$) interest owned by Erich M. Steffen in and to each of the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

1,962,792; 6-12-34; Brown Van Voorhees, Erich M. Steffen, Leon W. Parsons; Process for the hydrogenation of hydrocarbons;

1,974,057; 9-18-34; Erich M. Steffen, Brown Van Voorhees, Leon W. Parsons; Two stage method of hydrogenation;

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) The undivided one-fourth ($\frac{1}{4}$) interest owned by Erich M. Steffen in and to each of the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,142,219; 1-3-39; Erich M. Steffen; Lubricant;

2,211,442; 8-13-40; Erich M. Steffen; Lubricant,

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(c) The undivided one-eighth ($\frac{1}{8}$) interest owned by Erich M. Steffen in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,142,220; 1-3-39; Erich M. Steffen, John E. Schott; Lubricant,

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

[F. R. Doc. 45-18380; Filed, Oct. 3, 1945; 11:11 a. m.]

[Vesting Order 5207]

CARL HEINRICH SCHOL AND KARL BLOCH

In re: Interests of Carl Heinrich Schol in an agreement with Karl Bloch dated January 24 and March 30, 1940.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Carl Heinrich Schol is a resident of Germany and a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Carl Heinrich Schol;

3. That the property described as follows: All interests and rights, including all royalties and other monies payable or held with

respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Carl Heinrich Schol by virtue of an agreement dated January 24 and March 30, 1940 (including all modifications thereof and supplements thereto, if any) by and between Karl Bloch and Carl Heinrich Schol, which agreement relates, among other things, to United States Letters Patent No. 1,888,394,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18381; Filed, Oct. 3, 1945; 11:11 a. m.]

[Vesting Order 5208]

VEREDELUNGSGESELLSCHAFT FUER OELE UND FETTE M. B. H. AND CARMAN & CO., INC.

In re: Interests of Veredelungsgesellschaft fuer Oele und Fette m. b. H. in an agreement dated August 23, 1932 with Carman & Co., Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Veredelungsgesellschaft fuer Oele und Fette m. b. H. is a corporation organized under the laws of, and having its prin-

cipal place of business in, Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Veredelungsgesellschaft fuer Oele und Fette m. b. H.;

3. That the property described as follows: All interests and rights, including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Veredelungsgesellschaft fuer Oele und Fette m. b. H. by virtue of an agreement dated August 23, 1932 (including all modifications thereof and supplements thereto, including, but not by way of limitation, agreements between the parties thereto dated March 15, 1934 and October 28, 1935, respectively) by and between Veredelungsgesellschaft fuer Oele und Fette m. b. H. and Carman & Co., Inc., which agreement relates, among other things, to United States Letters Patent No. 1,766,863,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18382; Filed, Oct. 3, 1945; 11:12 a. m.]

[Vesting Order 5209]

SCHMIDT'SCHE HEISSDAMPF G. M. B. H. ET AL.

In re: Interest of Schmidt'sche Heissdampf G. M. B. H. in an agreement dated April 29, 1922 with Marine & Locomo-

tive Superheaters, Ltd., Compagnie des Surchauffeurs and the Superheater Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Schmidt'sche Heissdampf G. m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany, and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Schmidt'sche Heissdampf G. m. b. H.;

3. That the property described as follows: All interests and rights, including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Schmidt'sche Heissdampf G. m. b. H. by virtue of an agreement dated April 29, 1922 between Schmidt'sche Heissdampf G. m. b. H., Marine & Locomotive Superheaters, Ltd., of London, England, Compagnie des Surchauffeurs, of Paris, France, and The Superheater Co. of New York, N. Y., including all modifications thereto, if any, which agreement relates, among other things, to United States Letters Patent No. 2,291,705,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18388; Filed, Oct. 3, 1945;
11:12 a. m.]

[Vesting Order 5210]

G. M. B. H. FUER OBERBAUFORSCHUNG ET AL.

In re: Interests of G. m. b. H. fuer Oberbauforschung and Siemens-Schuckertwerke A. G. in an agreement dated 12/31/29 by and between Gesellschaft m. b. H. fuer Oberbauforschung and Westinghouse International Brake & Signal Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Gesellschaft m. b. H. fuer Oberbauforschung and Siemens-Schuckertwerke A. G. are corporations organized under the laws of Germany, having principal places of business in Berlin and Berlin-Siemensstadt, Germany, respectively, and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of G. m. b. H. fuer Oberbauforschung and Siemens-Schuckertwerke A. G.;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 11, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all

damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gesellschaft m. b. H. fuer Oberbauforschung and Siemens-Schuckertwerke A. G. and each of them by virtue of an agreement dated December 31, 1929 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a supplementary agreement between the parties thereto dated December 31, 1929 and a letter dated February 20, 1937 from Siemens-Schuckertwerke A. G. to Westinghouse Brake and Signal Company, Ltd.) by and between G. m. b. H. fuer Oberbauforschung and Westinghouse International Brake and Signal Company, which agreement relates, among other things, to United States Letters Patent No. 1,812,190.

[F. R. Doc. 45-18475; Filed, Oct. 4, 1945;
11:12 a. m.]

[Vesting Order 5211]

PIEPMAYER & CO., ET AL.

In re: Interests of Piepmeyer & Co., Kommandit-Gesellschaft, and Dr. Gunther Laubmeyer in an agreement dated July 16 and September 22, 1937, with Standard Oil Development Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Piepmeyer & Co., Kommandit-Gesellschaft, is a business enterprise organized under the laws of, and having its principal place of business in, Germany and is a national of a foreign country (Germany);

2. That Dr. Gunther Laubmeyer is a resident of Germany and a national of a foreign country (Germany);

3. That the property described in subparagraph 4 hereof is property of Piepmeyer & Co., Kommandit-Gesellschaft, and Dr. Gunther Laubmeyer;

4. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Piepmeyer & Co., Kommandit-Gesellschaft, and Dr. Gunther Laubmeyer by virtue of an agreement, dated July 16 and September 22, 1937 (including all modifications thereof and supplements thereto, including, but not by way of limitation, two agreements by the parties thereto, dated September 3 and 22, 1937 and November 3 and 23, 1937) by and between Standard Oil Development Co. and Piepmeyer & Co., Kommandit-Gesellschaft, and Dr. Gunther Laubmeyer, which agreement relates, among other things, to United States Letters Patent No. 1,843,878,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 11, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18476; Filed, Oct. 4, 1945;
11:12 a. m.]

[Vesting Order 5224]

SCHON & CIE. AKTIENGESSELLSCHAFT AND
SHOE FORM CO., INC.

In re: Interests of Schon & Cie. Aktiengesellschaft in an agreement with Shoe Form Co., Inc. dated February 14, 1938.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Schon & Cie. Aktiengesellschaft is a corporation organized under the laws of, and having its principal place of business in, Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Schon & Cie. Aktiengesellschaft;

3. That the property described as follows: All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Schon & Cie. Aktiengesellschaft by virtue of an agreement dated February 14, 1938 (including all modifications and assignments thereof and supplements thereto, if any) by and between Schon & Cie. Aktiengesellschaft and Shoe Form Co., Inc., which agreement relates, among other things, to United States Letters Patent No. 1,775,456.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold

or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 13, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18477; Filed, Oct. 4, 1945;
11:12 a. m.]

[Vesting Order 5252]

CHARLES J. HARRAH

In re: Trust under deed of Charles J. Harrah; File D-28-9937; E. T. sec. 14083.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Eunice Harrah Michahelles, Herbert Michahelles, Millie von Gyldenfeldt, lineal descendants, names unknown, of Eunice Harrah Michahelles, and heirs, names unknown, of Eunice Harrah Michahelles, and each of them, in and to the trust established under an indenture of trust executed on June 9, 1919, between Charles J. Harrah as grantor and Abram H. Wintersteen and Fidelity-Philadelphia Trust Company as trustees,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Eunice Harrah Michahelles, Germany.
Herbert Michahelles, Germany.
Millie von Gyldenfeldt, Germany.
Lineal descendants, names unknown, of Eunice Harrah Michahelles, Germany.
Heirs, names unknown, of Eunice Harrah Michahelles, Germany.

That such property is in the process of administration by Fidelity-Philadelphia Trust Company, as Surviving Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a des-

ignated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18478; Filed, Oct. 4, 1945;
11:12 a. m.]

[Vesting Order 5253]

FRANK HOLNY

In re: Estate of Frank Holny, deceased; D-34-786; E. T. sec. 11946.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Agnes Kossuth in and to the estate of Frank Holny, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Agnes Kossuth, Hungary.

That such property is in the process of administration by E. W. Vaiko, Administrator de Bonis Non With Will Annexed of the estate of Frank Holny, deceased, acting under the judicial supervision of the Probate Court of Cuyahoga County, Ohio; And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such per-

son be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18479; Filed, Oct. 4, 1945;
11:12 a. m.]

[Vesting Order 5254]

FRANZ C. REINHARDT

In re Estate of Franz C. Reinhardt, deceased; File No. D-28-8784; E. T. Sec. 10728.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Pauline Schaller, the child or children of Gustave Dietze, whose names are unknown, the child or children of Frederick Dietze, whose names are unknown, Heinze, Herman, Oscar Boettcher, Willie Boettcher, Ernst Hoseman, also known as Ernst Hosemann, Mrs. Marie Lindner and Mrs. Anna Herrmann, and each of them, in and to the estate of Franz C. Reinhardt, deceased, and in and to the trust created under the Will of Franz C. Reinhardt, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Pauline Schaller, Germany.

The child or children of Gustave Dietze, whose names are unknown, Germany.

The child or children of Frederick Dietze, whose names are unknown, Germany.

Heinze Herman, Germany.

Oscar Boettcher, Germany.

Willie Boettcher, Germany.

Ernst Hoseman, also known as Ernst Hosemann, Germany.

Mrs. Marie Lindner, Germany.

Mrs. Anna Herrmann, Germany.

That such property is in the process of administration by The Citizens Trust Company and Anna R. Coelln, as Executors and Trustees of the Estate of Franz C. Reinhardt, deceased, acting under the judicial supervision of the Orphans' Court of Passaic County, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-18480; Filed, Oct. 4, 1945;
11:12 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 48]

BRUCE MOTOR FREIGHT, INC.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Bruce Mo-

tor Freight, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Bruce Motor Freight, Inc., S. W. 5th & Elm Streets, Des Moines, Iowa, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 48."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 45-18409; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 49]

HI-SPEED MOTOR EXPRESS, INC.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Hi-Speed Motor Express, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Hi-Speed Motor Express, Inc., 201 Iowa Street, Sioux City, Iowa, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 49."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 45-18410; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 50]

ON-TIME TRANSFER CO.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of On-Time Transfer Company by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of On-Time Transfer Company, 1302 Izard Street, Omaha, Nebraska, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock A. M., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 50."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-18411; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 51]

MURPHY MOTOR FREIGHT LINES, INC.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Murphy Motor Freight Lines, Incorporated, by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Murphy Motor Freight Lines, Incorporated, 480 Broadway Street, St. Paul, Minnesota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 51."

Issued at Washington, D. C., this 3d day of October, 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-18412; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 52]

G. & P. TRANSPORTATION CO., INC.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of G. & P. Transportation Co., Inc., 501 Railroad Avenue, Aberdeen, South Dakota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of G. & P. Transportation Co., Inc., 501 Railroad Avenue, Aberdeen, South Dakota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 52."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-18413; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 53]

RAYMOND BROS. MOTOR TRANSPORTATION,
INC.POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Raymond Bros. Motor Transportation, Incorporated, by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Raymond Bros. Motor Transportation, Incorporated, 400½ E. St. Germain St., St. Cloud, Minnesota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 53."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-18414; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 54]

OLSON TRANSFER CO.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Olson Transfer Company by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Olson Transfer Company, 301 North Main St., Stillwater, Minnesota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 54."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-18415; Filed, Oct. 3, 1945;
2:35 p. m.]

[Notice and Order of Termination 55]

WESTERN TRANSPORTATION CO.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Western Transportation Company by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Matt W. Kanten and Roy Wheaton, a partnership, doing business as Western Transportation Company, 17 1st St. SW., Watertown, South Dakota, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock A. M., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 55."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 45-18416; Filed, Oct. 3, 1945;
2:36 p. m.]

[Notice and Order of Termination 56]

H. & W. MOTOR EXPRESS CO.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of H. & W. Motor Express Company by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Urban J. Haas and Cyril H. Wissel, a partnership, doing business as H. & W. Motor Express Company, 3000 Jackson Street, Dubuque, Iowa, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of

Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 56."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 45-18417; Filed, Oct. 3, 1945;
2:36 p. m.]

[Notice and Order of Termination 57]

HIGHWAY MOTOR FREIGHT, INC.

POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Highway Motor Freight, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Highway Motor Freight, Inc., Omaha, Nebraska, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., October 4, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 57."

Issued at Washington, D. C., this 3d day of October 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 45-18418; Filed, Oct. 3, 1945;
2:36 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Amdt. 1 to Order 20]

ARTISTIC FOUNDATIONS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Amendment 1 to Order 20 under Maximum Price Regulation 580. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-58.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 20 issued under section 13 of Maximum Price Regulation 580 is amended by adding the following:

Article	Style No.	Ceiling price at retail (per unit)
Flexees combination.....	5441	\$7.95
	2063	10.95
Flexaire Bandeaux.....	154A	1.50
	154B	1.50
	154C	1.50

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in this paragraph (a).

This amendment shall become effective October 4, 1945.

Issued this 3d day of October 1945.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 45-18364; Filed, Oct. 3, 1945;
11:08 a. m.]

[MPR 580, Amdt. 1 to Order 85]

COBBLERS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Amendment 1 to Order 85 under Maximum Price Regulation 580. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-85.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 85 issued under section 13 of Maximum Price Regulation 580 to Cobblers, Inc., 1212 Stanford Avenue, Los Angeles 21, California is amended by adding the following:

Article	Brand name	Manufacturer's selling price per pair	Retail ceiling price per pair
Women's shoes.	"Flesters".....	\$3.85	\$6.95
	"Flesters".....	4.45	6.95
	"Little Cobblers".....	2.95	4.95
	"Little Cobblers".....	3.05	4.95

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in this paragraph (a).

This amendment shall become effective October 4, 1945.

Issued this 3d day of October 1945.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 45-18365; Filed, Oct. 3, 1945;
11:08 a. m.]

[MPR 580, Order 208]

CLIMATIC RAINWEAR CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 208 under Maximum Price Regulation 580. Establishing ceiling prices

at retail for certain articles; Docket No. 6063-580-13-283.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Climatic Rainwear Co., Inc., 350 Fifth Avenue, New York City, having the brand name "Koroseal", and described in the manufacturer's application, dated August 8 and August 15, 1945:

LADIES' RAINWEAR

Style No.	Article	Manufacturer's selling price	Retail ceiling price
L-109-L-113, inclusive.	Coat.....	\$5.90	\$9.95

BOYS' RAINWEAR

B200.....	Coat.....	\$4.80	\$8.00
B201.....	Hat.....	.90	1.50
Combination.....	Coat and hat.....	5.70	9.50
B200-B201.....	Student coat.....	6.60	11.00

(b) The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by paragraph (a) shall be the retail ceiling price listed for that other article in paragraph (a).

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after November 1, 1945, Climatic Rainwear Co., Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price \$-----

On and after December 1, 1945, no retailer may offer to sell the article unless it is marked or tagged in the form stated above. Prior to December 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 4, 1945.

Issued this 3d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-18366; Filed, Oct. 3, 1945;
11:08 a. m.]

[RMPR 136, Order 506]

GASOLINE DISPENSING PUMPS

ADJUSTMENT OF MAXIMUM PRICES

For reasons set forth in our opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 30 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum price for sales of new gasoline dispensing pumps by any manufacturer shall be established as follows:

(1) For any gasoline dispensing pumps for which the manufacturer had a published list price in effect on October 1, 1941, or an established price in effect on the base date, the maximum prices shall be the published list price in effect on October 1, 1941, or the established price in effect on the base date, multiplied by 109.2 per cent.

(2) For any gasoline dispensing pumps which are modifications of those described in paragraph (1) above, the maximum prices shall be computed under the provisions of section 8 of Revised Maximum Price Regulation 136 using the price computed under paragraph (1) above as the price for the pump before modification.

(3) For any other gasoline dispensing pumps the maximum price shall be computed under sections 9 and 10 of Revised Maximum Price Regulation 136.

(b) As used in this order the phrase "established price in effect on the base date" shall be defined as that phrase is defined in section 28 of Revised Maximum Price Regulation 136.

(c) For the purposes of this order, a commission paid shall not be deducted from a list price in order to determine an established price in effect on the base date.

(d) All prices established under paragraph (a) of this order shall be subject to the same discounts, credits and allowances in effect to any purchasers and classes of purchasers just prior to the issuance of this order.

(e) This order may be revoked or amended at any time by the Price Administrator.

This order shall become effective October 3, 1945.

Issued this 3d day of October 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-18450; Filed, Oct. 3, 1945;
4:54 p. m.]

Regional and District Office Orders.

[Region II Order G-36 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN SALEM, CUMBERLAND, AND
CAPE MAY COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259

(a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-36 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 50-lb. paper bag
Broken, egg, stove, nut.	\$15.10	\$7.80	\$0.95	\$0.525
Pea.....	13.40	6.95	.85	.47
Buckwheat.....	10.95	5.75	.75	-----
Rice.....	9.40	4.95	-----	-----
Barley.....	8.15	4.35	-----	-----
Screenings.....	4.70	2.35	-----	-----

2. Paragraph (d) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ½ ton or more—	Per 100 lbs. for 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag
	To dealers	To consumers	
Broken, egg, stove, nut.	\$14.10	\$14.60	\$0.85
Pea.....	12.40	12.90	.75
Buckwheat.....	9.95	10.45	.65
Rice.....	8.40	8.90	-----
Barley.....	7.15	7.65	-----
Screenings.....	2.95	2.95	-----

3. Paragraph (e) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 50-lb. paper bag
Broken, egg, stove, nut.	\$14.90	\$7.70	\$0.95	\$0.525
Pea.....	13.30	6.90	.85	.47
Buckwheat.....	10.80	5.65	.75	-----
Rice.....	9.80	5.15	-----	-----
Barley.....	8.55	4.55	-----	-----
Screenings.....	4.70	2.75	-----	-----

4. Paragraph (e) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ½ ton or more—	Per 100 lbs. for 100 lbs. or more, but less than ½ ton	Per 50 lb. paper bag
	To dealers	To consumers	
Broken, egg, stove, nut.	\$12.90	\$13.90	\$0.85
Pea.....	11.30	12.30	.75
Buckwheat.....	8.80	9.80	.65
Rice.....	7.80	8.80	-----
Barley.....	6.55	7.55	-----
Screenings.....	2.95	2.95	-----

5. Paragraph (f) (1) is amended to read as follows:

4. Paragraph (g) (1) and (g) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
Broken, egg, stove, nut	\$15.50	\$8.05	\$4.30	\$0.95 \$0.525
Pea	13.35	7.00	3.75	.85 .47
Buckwheat	11.55	6.10	3.30	.75
Rice	10.20	5.40	2.95	.65
Barley	8.95	4.80	2.55	.55
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	To consumers			Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
	To dealers—per net ton	Per net 1/2 ton	Per net 1/4 ton	
Broken, egg, stove, nut	\$13.05	\$15.00	\$7.75	\$4.10 \$0.55 \$0.475
Pea	11.05	12.85	6.70	3.60 .75 .42
Buckwheat	9.05	11.05	5.80	3.15
Rice	8.10	9.70	5.10	2.80
Barley	6.85	8.45	4.50	2.50
Screenings	3.75	3.75		

5. Paragraphs (h) (1) and (h) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
Broken, egg, stove, nut	\$15.60	\$8.30	\$4.25	\$0.90 .80
Pea	13.65	7.25	3.75	.85
Buckwheat	11.15	6.00	3.15	.75
Rice	9.85	5.35	2.80	.65
Barley	8.60	4.70	2.50	.55
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	To consumers			Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
	To dealers—per net ton	Per net 1/2 ton	Per net 1/4 ton	
Broken, egg, stove, nut	\$12.00	\$14.00	\$7.50	\$0.85 .75
Pea	11.05	12.20	6.60	3.50
Buckwheat	9.35	10.55	5.70	3.00
Rice	8.50	9.70	5.10	2.55
Barley	7.25	8.45	4.15	2.15
Screenings "A"	4.75	4.75		
Screenings "B"	3.75	3.75		

3. Paragraphs (f) (1) and (f) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	To consumers			Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
	To dealers—per net ton	Per net 1/2 ton	Per net 1/4 ton	
Broken, egg, stove, nut	\$15.55	\$7.95	\$4.20	\$0.95 \$0.525
Pea	13.90	6.95	3.70	.85 .47
Buckwheat	11.40	5.70	3.05	.75
Rice	10.50	5.25	2.85	.65
Barley	9.25	4.65	2.55	.55
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	To consumers			Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
	To dealers—per net ton	Per net 1/2 ton	Per net 1/4 ton	
Broken, egg, stove, nut	\$12.50	\$14.35	\$7.70	\$4.05 \$0.55 \$0.475
Pea	10.50	12.40	6.70	3.55 .75 .42
Buckwheat	8.50	9.90	5.45	2.95
Rice	7.55	9.00	5.00	2.70
Barley	6.30	7.75	4.40	2.40
Screenings	3.75	3.75		

1340.259 (a) (1) of Revised Maximum Price Regulation No. 122; It is ordered:

1. Paragraph (d) (1) and (d) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
Broken, egg, stove, nut	\$16.05	\$8.55	\$4.50	\$0.95 .85
Pea	14.15	7.60	4.05	.85
Buckwheat	11.75	6.40	3.45	.75
Rice	10.25	6.15	3.20	.65
Barley	10.00	5.50	3.00	.55
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	To consumers			Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
	To dealers—per net ton	Per net 1/2 ton	Per net 1/4 ton	
Broken, egg, stove, nut	\$12.45	\$14.05	\$7.55	\$4.00 \$0.85
Pea	10.40	12.15	6.60	3.55 .75
Buckwheat	8.45	9.75	5.40	2.95
Rice	7.50	9.25	5.15	2.80
Barley	6.25	8.00	4.50	2.50
Screenings	3.75	3.75		

2. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
Broken, egg, stove, nut	\$16.00	\$8.50	\$4.55	\$0.95 .85
Pea	14.20	7.60	4.00	.85
Buckwheat	11.55	6.30	3.25	.75
Rice	10.50	5.75	3.00	.65
Barley	9.25	5.15	2.55	.55
Screenings "A"	5.75			
Screenings "B"	4.75			

(1) Sales on a "direct delivery" basis.
FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
Broken, egg, stove, nut	\$15.95	\$8.25	\$0.95	\$0.525
Pea	13.85	7.20	.85	.47
Buckwheat	11.05	5.80	.75	
Rice	10.10	5.30		
Barley	8.85	4.70		
Screenings	4.70	2.75		

6. Paragraph (f) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	To consumers			Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton
	To dealers—per net ton	Per net 1/2 ton	Per net 1/4 ton	
Broken, egg, stove, nut	\$13.95	\$14.95	\$0.85	\$0.475
Pea	11.85	12.85	.75	.42
Buckwheat	9.05	10.05	.65	
Rice	8.10	9.10		
Barley	6.85	7.85		
Screenings	2.90	2.95		

This Amendment No. 2 to Order No. G-36 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18350; Filed, Oct. 2, 1945; 4:36 p. m.]

[Region II Order G-37 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ALBANY, COLUMBIA, FULTON, GREENE, MONTGOMERY, RENSSELAER, SARATOGA, SCHENECTADY, SCHOHARIE, ULSTER, WARREN, AND WASHINGTON COUNTIES, N. Y.

For the reasons set forth in an opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$14.10	\$7.45	\$3.90	\$0.80
Pea	12.15	6.50	3.40	.70
Buckwheat	9.65	5.25	2.75	
Rice	8.35	4.60	2.45	
Barley	7.10	3.95	2.15	
Screenings	3.75			

6. Paragraph (i) (1) is amended by revising the "direct delivery" prices under sub-paragraph (1) and the "yard sales" prices under sub-paragraph (2) and by adding a new sub-paragraph (3) immediately after sub-paragraph (2) to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$16.10	\$8.35	\$4.35	\$0.90
Pea	14.40	7.50	3.90	.80
Buckwheat	11.65	6.15	3.25	
Rice	10.60	5.60	2.95	
Barley	9.35	5.00	2.65	

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$14.85	\$7.75	\$4.00	\$0.80
Pea	13.15	6.90	3.60	.70
Buckwheat	10.40	5.50	2.90	
Rice	9.35	5.00	2.60	
Barley	8.10	4.35	2.30	
Screenings	3.75			

(3) Additions for sales and deliveries within Zone 6 of anthracite produced by Jeddo Highland Coal Company and prepared at its Jeddo #7 and Highland #5 Breakers and sold under the trade name of "Jeddo Coal", "Highland Coal" or "Hazle Brook Coal".

You may add to the "direct delivery" and "yard" sales prices specified in sub-paragraphs (1) and (2) above, 50¢ per net ton, 25¢ per net ½ ton, and 15¢ per net ¼ ton for sales and deliveries of such anthracite in Zone 6: *Provided*, That you keep such coal separate in storage and delivery and sell it under the name of "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal": *And further provided*, That you do not price such coal under Order No. G-53, under Revised Maximum Price Regulation No. 122.

7. Paragraphs (j) (1) and (j) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$15.00	\$7.80	\$4.10	\$0.90
Pea	12.95	6.80	3.60	.80
Buckwheat	10.90	5.75	3.10	
Rice	10.00	5.30	2.85	
Barley	8.75	4.70	2.55	
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	To dealers—per net ton	To consumers			Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
		Per net ton	Per net ½ ton	Per net ¼ ton	
Broken, egg, stove, nut.	\$12.55	\$13.50	\$7.05	\$3.75	\$0.80
Pea	10.45	11.45	6.05	3.20	.70
Buckwheat	8.45	9.40	5.00	2.70	
Rice	7.50	8.50	4.55	2.50	
Barley	6.25	7.25	3.95	2.20	
Screenings	3.75	3.75			

8. Paragraphs (k) (1) and (k) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$15.00	\$8.20	\$4.15	\$0.95
Pea	13.90	7.30	3.75	.85
Buckwheat	10.85	5.80	2.95	
Rice	10.10	5.45	2.80	
Barley	8.85	4.85	2.50	
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$14.60	\$7.70	\$3.90	\$0.85
Pea	12.90	6.80	3.50	.75
Buckwheat	9.85	5.30	2.70	
Rice	9.10	4.95	2.55	
Barley	7.85	4.35	2.20	
Screenings	3.75			

9. Paragraphs (l) (1) and (l) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$15.10	\$7.75	\$4.00	\$0.95
Pea	13.40	6.90	3.55	.85
Buckwheat	10.90	5.65	2.95	
Rice	10.10	5.25	2.75	
Barley	8.85	4.65	2.45	
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$13.60	\$7.00	\$3.60	\$0.85
Pea	11.90	6.15	3.20	.75
Buckwheat	9.40	4.90	2.55	
Rice	8.60	4.50	2.35	
Barley	7.35	3.90	2.05	
Screenings	3.75			

10. Paragraphs (m) (1) and (m) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$14.90	\$7.85	\$4.00	\$0.95
Pea	12.90	6.80	3.50	.85
Buckwheat	10.70	5.75	2.95	
Rice	9.65	5.20	2.65	
Barley	8.40	4.55	2.35	
Screenings	4.75			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.	\$13.90	\$7.35	\$3.75	\$0.85
Pea	11.90	6.30	3.25	.75
Buckwheat	9.70	5.25	2.70	
Rice	8.65	4.70	2.40	
Barley	7.40	4.05	2.10	
Screenings	3.75			

11. Paragraphs (n) (1) and (n) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut...	\$15.45	\$8.25	\$4.10	\$0.90
Pea.....	13.15	7.10	3.55	.80
Buckwheat.....	11.15	6.10	3.05	-----
Rice.....	10.35	5.70	2.85	-----
Barley.....	9.10	5.05	2.55	-----
Screenings.....	4.75	-----	-----	-----

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken egg, stove, nut...	\$14.20	\$7.60	\$3.80	\$0.80
Pea.....	11.90	6.45	3.25	.70
Buckwheat.....	9.90	5.45	2.75	-----
Rice.....	9.10	5.05	2.55	-----
Barley.....	7.85	4.45	2.20	-----
Screenings.....	3.75	-----	-----	-----

Kind

Permitted per net ton increase above applicable area ceiling price for anthracite, pursuant to paragraph (b). (For sales of fractions of a net ton, the increase shall be proportionate.)

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(23) "Franklin Coal Mining Co." (This applies to Pennsylvania anthracite produced by Franklin Coal Mining Co., at its Franklin and Mineral Spring Collieries, and prepared at the Harry E. Breaker of the Harry E. Coal Company.)	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	-----

This Amendment No. 21 to Order No. G-53 shall become effective September 7th, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 7, 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18354; Filed, Oct. 2, 1945; 4:37 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 22]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respects:

1. Appendix "B" is amended by adding to the list of orders there enumerated the following:

This Amendment No. 2 to Order No. G-37 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18349; Filed, Oct. 2, 1945; 4:35 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 21]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respect:

1. Item (23) under Revised Appendix "A" is amended to read as follows:

Order No. G-66 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 (Scranton).

This Amendment No. 22 to Order No. G-53 shall become effective as of July 30, 1945.

Issued September 11, 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18355; Filed, Oct. 2, 1945; 4:37 p. m.]

[Region II Order G-39 Under RMPR 122, Amdt. 1]

SOLID FUELS IN HUNTERDON, WARREN AND SOMERSET COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-39 is amended in the following respects:

1. Paragraph (d) (1) and (d) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut...	\$14.15	\$7.60	\$3.85	\$0.90
Pea.....	12.40	6.70	3.40	.80
Buckwheat.....	10.85	5.95	3.00	-----
Rice.....	10.05	5.55	2.80	-----
Barley.....	8.80	4.90	2.50	-----
Screenings.....	4.75	-----	-----	-----

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut...	\$13.15	\$7.10	\$3.60	\$0.80
Pea.....	11.40	6.20	3.15	.70
Buckwheat.....	9.85	5.45	2.75	-----
Rice.....	9.05	5.05	2.55	-----
Barley.....	7.80	4.40	2.25	-----
Screenings.....	3.75	-----	-----	-----

2. Paragraph (e) (1) and (e) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut...	\$13.75	\$7.40	\$3.75	\$0.90
Pea.....	11.85	6.45	3.25	.80
Buckwheat.....	9.75	5.40	2.75	-----
Rice.....	8.70	4.85	2.50	-----
Barley.....	7.45	4.25	2.15	-----
Screenings.....	4.75	-----	-----	-----

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut...	\$12.75	\$6.90	\$3.50	\$0.80
Pea.....	10.85	5.95	3.00	.70
Buckwheat.....	8.75	4.90	2.50	-----
Rice.....	7.70	4.35	2.25	-----
Barley.....	6.45	3.75	1.90	-----
Screenings.....	3.75	-----	-----	-----

This Amendment No. 1 to Order No. G-39 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18405; Filed, Oct. 3, 1945;
12:12 p. m.]

[Region II Order G-40 Under RMPR 122,
Amdt. 1]

SOLID FUELS IN MONMOUTH AND OCEAN COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-40 is amended in the following respects:

1. Paragraphs (d) (1), (d) (2) and (d) (3) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut	\$14.85	\$7.70	\$4.10	\$0.90
Pea	13.15	6.85	3.70	.80
Buckwheat	10.65	5.60	3.05	.70
Rice	9.85	5.20	2.85	.65
Barley	8.60	4.55	2.55	
Screenings	5.05	2.55		

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton, for sales of ½ ton or more—		Per 100 lbs. for 100 lbs. or more, but less than ¼ ton
	To dealers	To consumers	
Broken, egg, stove, nut	\$13.35	\$13.85	\$0.80
Pea	11.65	12.15	.70
Buckwheat	9.15	9.65	.60
Rice	8.35	8.85	.55
Barley	7.10	7.60	
Screenings	3.25	3.25	

(3) "Sales of bagged coal".

MAXIMUM PRICES PER 50 LB. PAPER BAGS

Size	Delivered at dealer's yard—		Delivered to retail stores	Sales to ultimate consumer
	To dealers	To consumers		
Nut	\$0.405	\$0.455	\$0.455	\$0.505
Pea	.35	.40	.40	.45

MAXIMUM PRICES PER 25 LB. PAPER BAG

Nut	\$0.205	\$0.23	\$0.23	\$0.26
Pea	.18	.205	.205	.235

2. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	\$15.10	\$7.80	\$4.15	\$0.95	\$0.525
Pea	13.40	6.95	3.75	.85	.47
Buckwheat	10.65	5.60	3.05	.75	
Rice	9.85	5.20	2.85	.70	
Barley	8.60	4.55	2.55		
Screenings	5.05	2.55			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ½ ton or more—		Per 100 lbs. for 100 lbs. or more, but less than ¼ ton	Per 50-lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	\$13.60	\$14.10	\$0.85	\$0.475
Pea	11.90	12.40	.75	.42
Buckwheat	9.15	9.65	.65	
Rice	8.35	8.85	.60	
Barley	7.10	7.60		
Screenings	3.25	3.25		

3. Paragraphs (f) (1) and (f) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	\$15.35	\$7.95	\$4.25	\$0.95	\$0.525
Pea	13.65	7.10	3.80	.85	.47
Buckwheat	10.65	5.60	3.05	.75	
Rice	9.60	5.05	2.80	.70	
Barley	8.35	4.45	2.50		
Screenings	5.05	2.55			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ½ ton or more—		Per 100 lbs. for 100 lbs. or more, but less than ¼ ton	Per 50-lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	\$13.85	\$14.35	\$0.85	\$0.475
Pea	12.15	12.65	.75	.42
Buckwheat	9.15	9.65	.65	
Rice	8.10	8.60	.60	
Barley	6.85	7.35		
Screenings	3.25	3.25		

4. Paragraph (g) (1) and (g) (2) are amended to read as follows:

(1) Sales on a "direct delivery" basis.

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	\$15.90	\$8.20	\$4.35	\$0.95	\$0.525
Pea	14.20	7.35	3.85	.85	.47
Buckwheat	11.20	5.85	3.20	.75	
Rice	10.10	5.30	2.90	.70	
Barley	8.85	4.70	2.60		
Screenings	5.05	2.55			

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ½ ton or more—		Per 100 lbs. for 100 lbs. or more, but less than ¼ ton	Per 50-lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	\$14.40	\$14.90	\$0.85	\$0.475
Pea	12.70	13.20	.75	.42
Buckwheat	9.70	10.20	.65	
Rice	8.60	9.10	.60	
Barley	7.35	7.85		
Screenings	3.25	3.25		

This Amendment No. 1 to Order No. G-40 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18404; Filed, Oct. 3, 1945;
12:12 p. m.]

[Region II Order G-41 Under RMPR 122,
Amdt. 6]

SOLID FUELS IN HOWARD, CARROLL, HARTFORD, CECIL, BALTIMORE AND ANNE ARUNDEL COUNTIES, Md.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-41 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the price of bituminous coal to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF COAL OF THE KINDS AND SIZES AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>			
Producing District 1:			
Lump (size group 1, price classification D and E).....	\$10.58	\$5.54	\$0.65
Nut and slack (size group 4, price classification G).....	8.63	4.54	.55
Run-of-mine (size group 3, price classification E and G).....	9.28	4.89	.60
Producing District 2:			
Run-of-mine (size group 6, price classification D).....	9.20	4.85	.60
Producing District 3:			
Lump (size group 3, price classification "DE").....	8.93	4.72	.55
Stoker (size group 5, price classification E).....	8.78	4.67	.55

(2) "Yard sales".

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>		
Producing District 1:		
Lump or egg (size group 1, price classification D and E).....	\$9.58	\$0.55
Nut and slack (size group 4, price classification G).....	7.63	.45
Run-of-mine (size group 3, price classification E and G).....	8.28	.50
Producing District 2:		
Run-of-mine (size group 6, price classification D).....	8.20	.50
Producing District 3:		
Lump (size group 3, price classification "DE").....	7.93	.45
Stoker (size group 5, price classification E).....	7.78	.45

2. Paragraphs (e) (1) and (e) (2) are amended by revising the prices for bituminous coal to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>			
Producing District 1:			
Lump (size group 1, price classification D and E).....	\$9.08	\$4.79	\$0.60
Run-of-mine (size group 3, price classification E).....	9.28	4.89	.60
Producing District 7:			
Stove (size group 3, price classification A and D).....	10.10	5.30	.60

(2) "Yard sales".

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>		
Producing district 1:		
Lump (size group 1, price classification D and E).....	\$8.08	\$0.50
Run-of-mine (size group 3, price classification E).....	8.28	.50
Producing district 7:		
Stove (size group 3, price classification A and D).....	9.10	.55

3. Paragraphs (f) (1) and (f) (2) are amended by revising the prices for bituminous coal to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>			
Producing District 1:			
Lump (size group 1, price classification A, C, D, E, G and H).....	\$8.93	\$4.74	\$0.55
Run-of-mine (size group 3, price classification D and E).....	8.58	4.54	.55
Producing District 3:			
Lump (size group 1, price classification G).....	7.63	4.07	.50
Producing District 7:			
Egg (size group 2, price classification D).....	10.85	5.70	.65
Stove (size group 3, price classification A).....	11.05	5.80	.65
Stove (size group 3, price classification C and D).....	10.55	5.55	.65
Nut (size group 4, price classification A).....	10.75	5.65	.65
Pea (size group 5, price classification A).....	9.80	5.15	.60

(2) "Yard sales".

FOR SALES OF COAL OF THE KIND AND SIZES AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>		
Producing District 1:		
Lump (size group 1, price classification A, C, D, E, G and H).....	\$7.93	\$0.45
Run-of-mine (size group 3, price classification D and E).....	7.58	.45
Producing District 3:		
Lump (size group 1, price classification G).....	6.63	.40
Producing District 7:		
Egg (size group 2, price classification D).....	9.85	.55
Stove (size group 3, price classification A).....	10.05	.55
Stove (size group 3, price classification C and D).....	9.55	.55
Nut (size group 4, price classification A).....	9.75	.55
Pea (size group 5, price classification A).....	8.80	.50

4. Paragraphs (g) (1) and (g) (2) are amended by revising the prices for bituminous coal to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>			
Producing District 1:			
Lump (size group 1, price classification D and E).....	\$9.43	\$4.99	\$0.60
Double screened coal 2" and smaller (size group 2, price classification E and F).....	9.08	4.79	.55
Run-of-mine (size group 3, price classification E and F).....	9.08	4.79	.55
Producing District 7:			
Stove (size group 3, price classification A).....	11.00	5.75	.65
Pea (size group 5, price classification A).....	9.45	5.00	.60

(2) "Yard sales".

FOR SALES OF COAL OF THE KINDS AND SIZES AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) low volatile</i>		
Producing District 1:		
Lump (size group 1, price classification D and E).....	\$8.43	\$0.50
Double screened coal 2" and smaller (size group 2, price classification E and F).....	8.08	.45
Run-of-mine (size group 3, price classification E and F).....	8.08	.45
Producing District 7:		
Stove (size group 3, price classification A).....	10.00	.55
Pea (size group 5, price classification A).....	8.45	.50

5. Paragraphs (h) (1) and (h) (2) are amended by revising the prices of bituminous coal to read as follows:

(1) Sales on a "direct delivery" basis.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines) Low volatile</i>			
Producing District 1:			
Lump (size group 1, price classification C and H).....	\$10.98	\$5.74	\$0.65
Run-of-mine (size group 3, price classification E and H).....	9.58	5.04	.60
<i>High volatile</i>			
Producing District 2:			
Lump 5" x 2" (size group 2, price classification E).....	10.45	5.50	.65
Lump 6" and larger x 1½" and smaller (size group 3, price classification D).....	9.50	5.00	.60
Producing District 3:			
Double screened coal 2" and smaller (size group 5, price classification F).....	9.88	4.97	.60

(2) "Yard sales".

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
<i>Bituminous coal (from underground mines)</i>		
<i>Low volatile</i>		
Producing District 1:		
Lump (size group 1, price classification C and H).....	\$9.98	\$0.55
Run-of-mine (size group 3, price classification E and H).....	8.58	.50
<i>High volatile</i>		
Producing District 2:		
Lump 5' x 2' (size group 2, price classification F).....	9.45	.55
Lump 6' and larger x 1¼" and smaller (size group 4, price classification D).....	8.50	.50
Producing District 3:		
Double screened coal 2' and smaller (size group 5, price classification F).....	8.38	.50

This Amendment No. 6 to Revised Order No. G-41 shall become effective as of August 3, 1945.

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE PURSUANT TO PARAGRAPH (B)
[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(15) "Delano" (this includes only anthracite produced by Delano Anthracite Collieries Co. and prepared at its Delano and Park Breakers).....	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.65	\$0.35	-----
(16) "Locust Coal Co." (this includes only anthracite produced and prepared by Locust Coal Co. and prepared at their Weston Breaker, Shenandoah, Pennsylvania, except anthracite prepared for Mahanoy Coal Mining Co.).....	.60	.60	.60	.60	.60	.60	.40	-----
(35) "Cranberry Improvement Co." (this includes only anthracite produced and prepared by the Cranberry Improvement Co. at its Cranberry Colliery).....	.25	.25	.25	.25	.25	.25	.25	-----
(26) "Winton Coal Mining Co. Inc." (this includes only anthracite produced and prepared by Winton Coal Mining Co. Inc., at South Tamaqua Breaker).....	.25	.25	.25	.25	.25	.25	.25	-----

This Amendment No. 20 to Order No. G-53 as to Delano Anthracite Collieries Co., Locust Coal Co., and Cranberry Improvement Co. shall become effective as of August 13, 1945, and as to Winton Coal Mining Co., Inc., shall become effective as of August 25, 1945, except that for the purposes of application under paragraph (c) under Order No. G-53 it shall not become effective until September 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18400; Filed, Oct. 3, 1945; 12:07 p. m.]

[Region II Order G-42 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ORANGE AND ROCKLAND COUNTIES, NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith, and un-

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18403; Filed, Oct. 3, 1945; 12:09 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 20]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respects:

1. Revised Appendix "A" is amended by revising the prices under items (15) and (16) and by adding two new items designated (35) and (36) immediately after item (34) as hereinafter outlined:

der the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-42 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$13.75	\$7.30	\$3.75	\$0.90
Pea.....	12.05	6.45	3.35	.80
Buckwheat.....	10.30	5.55	2.90	-----
Rice.....	9.25	5.05	2.65	-----
Barley.....	8.00	4.40	2.30	-----
Screenings.....	4.75	-----	-----	-----

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$12.75	\$6.60	\$3.50	\$0.80
Pea.....	11.05	5.95	3.10	.70
Buckwheat.....	9.30	5.05	2.65	-----
Rice.....	8.25	4.55	2.40	-----
Barley.....	7.00	3.90	2.05	-----
Screenings.....	3.75	-----	-----	-----

2. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$14.40	\$7.60	\$3.90	\$0.90
Pea.....	12.60	6.70	3.45	.80
Buckwheat.....	10.40	5.60	2.90	-----
Rice.....	9.35	5.10	2.65	-----
Barley.....	8.10	4.45	2.35	-----
Screenings.....	4.75	-----	-----	-----

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$13.15	\$7.00	\$3.60	\$0.80
Pea.....	11.35	6.10	3.15	.70
Buckwheat.....	9.15	5.00	2.60	-----
Rice.....	8.10	4.45	2.35	-----
Barley.....	6.85	3.85	2.05	-----
Screenings.....	3.75	-----	-----	-----

3. Paragraphs (f) (1) and (f) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$14.60	\$7.80	\$4.15	\$0.95
Pea.....	12.90	6.95	3.75	.85
Buckwheat.....	10.90	5.95	3.25	-----
Rice.....	10.10	5.55	3.05	-----
Barley.....	8.85	4.95	2.75	-----
Screenings.....	4.75	-----	-----	-----

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½	Per net ¼	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut...	\$13.60	\$7.30	\$3.90	\$0.85
Pea	11.90	6.45	3.50	.75
Buckwheat	9.90	5.45	3.00	
Rice	9.10	5.05	2.80	
Barley	7.85	4.45	2.50	
Screenings	3.75			

This Amendment No. 1 to Order No. G-42 shall become effective June 18, 1945. (56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued August 20, 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18402; Filed, Oct. 3, 1945;
12:08 p. m.]

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per Net Ton	Per Net ½ Ton	Per Net Ton	Per Net ½ Ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
<i>Pennsylvania anthracite</i>					
Broken, egg, stove, nut	\$13.35	\$7.20			\$0.80
Pea	12.15	6.60			.75
Buckwheat	10.15	5.00			.65
Rice	9.30	5.15			.60
<i>Bituminous coal</i>					
Producing District 1:					
Screened "cannel" coal, size group 1, truck shipped coal, price classification "A"	\$6.78	\$3.89	\$6.50	\$3.75	.45
Lump, size group 1, rail shipped coal, price classification "F"	6.13	3.59	5.85	3.45	.40
Lump, size group 1, truck shipped coal, from the Forks Coal Mining Co. at its Hughes No. 11 mine, mine index No. 219	6.13	3.59	5.85	3.45	.40
Nut or pea, size group 2, rail and truck shipped coal from A, B, C, C', D, and E seams:					
(a) Treated	6.18	3.59	5.90	3.45	.40
(b) Untreated	5.98	3.49	5.70	3.35	.40
Run-of-mine, size group 3, rail shipped coal, price classification "D" through "G"	5.58	3.29	5.30	3.15	.40
Run-of-mine size group 3, truck shipped coal, from the A, B, C, C', D and E seams	5.58	3.29	5.30	3.15	.40
¾" slack, size group 5, rail shipped coal, price classification "D"	5.58	3.29	5.30	3.15	.40
Producing District 2:					
Run-of-mine, size group 6, rail shipped coal, price classification "D"	6.10	3.55			.40
Run-of-mine, size group 6, truck shipped coal, from Allegheny and Westmoreland Counties, Pa.	6.10	3.55			.40
Producing District 3:					
Egg, size group 2, rail shipped coal, price classification "J"	6.23	3.62			.40

¹ On all strip mine coals prepared by a producer who qualifies by order under §1340.212 (c) of Maximum Price Regulation No. 120, the maximum prices shall be the prices provided for underground mines in this schedule.

On single ton deliveries of bituminous coal, the foregoing per net ton prices may be increased by 50¢ per net ton. (Maximum Authorized Service Charges remain unchanged.)

[Region II Order G-51 Under RMPR 122,
Amdt. 3]

SOLID FUELS IN CAMBRIA AND BLAIR COUNTIES, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-51 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the "direct delivery" and "yard" sales prices for bituminous coal and Pennsylvania anthracite to read as follows:

(1) Sales on a "direct-delivery" basis by dealers and by bituminous coal producers.

(2) "Yard" sales by dealers.¹

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ton	Per 100 lbs. for sales of less than ½ ton
<i>Pennsylvania anthracite</i>			
Broken, egg, stove, nut	\$12.85		\$0.75
Pea	11.65		.70
Buckwheat	9.65		.60
Rice	8.80		.55
<i>Bituminous Coal</i>			
Producing District 1:			
Screened "Cannel" coal, size group 1, truck shipped coal, price classification "A"	\$6.28	\$6.00	.40
Lump, size group 1, rail shipped coal, price classification "D" through "F"	5.63	5.35	.35
Lump, size group 1, truck shipped coal from the Forks Coal Mining Co. at its Hughes No. 11 mine, mine index No. 219	5.63	5.35	.35
Nut or pea, size group 2, rail or truck shipped coal, from A, B, C, C', D and E seams:			
(a) Treated	5.68	5.40	.35
(b) Untreated	5.48	5.20	.35
Run-of-mine, size group 3, rail shipped coal, price classification "E" through "G"	3.08	4.80	.35
Run-of-mine, size group 3, truck shipped coal, from A, B, C, C', D and E seams	5.08	4.80	.35
¾" slack, size group 5, rail shipped coal, price classification "D"	5.08	4.80	.35
Producing District 2:			
Run-of-mine, size group 6, rail shipped coal, price classification "D"	5.60		.35
Run-of-mine, size group 6, truck shipped coal, from Allegheny and Westmoreland Counties, Pa.	5.60		.35
Producing District 3:			
Egg, size group 2, rail shipped coal, price classification "J"	5.73		.35

¹ Producers' "Yard" Sales are not governed by this order.

² On all strip mine coals prepared by a producer who qualifies by order under § 1340.212 (c) of Maximum Price Regulation No. 120, the maximum prices shall be the prices provided for underground mines in this schedule.

2. Paragraphs (e) (1) and (e) (2) are amended by revising the "direct delivery" and "yard" sales prices to read as follows:

(1) Sales on a "direct delivery" basis by dealers and by bituminous coal producers.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Underground mines		Strip mines ¹		Per 100 lbs for sales of 100# or more, but less than ½ ton
	Per net ton	Per net ½ ton	Per net ton	Per net ½ ton	
<i>Bituminous Coal</i>					
Producing District 1:					
Nut, size group 1, rail shipped coal, price classification "A".	\$6.83	\$3.94	\$6.55	\$3.80	\$0.45
Pea, size group 2, rail shipped coal, price classification "A".	6.08	3.84	6.40	3.70	.45
Run-of-mine, size group 3, truck shipped coal, Little Pittsburgh and A, B, C, C', D and E seams.....	5.18	3.09	4.90	2.95	.40

¹ On all strip mine coals prepared by a producer who qualifies by order under § 1340.212 (c) of Maximum Price Regulation No. 120, the maximum prices shall be the prices provided for underground mines in this schedule.

(Maximum Authorized Service Charges Remain Unchanged.)

(2) "Yard" sales by dealers.¹

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Underground mines per net ton for sales of ½ ton or more	Strip mines ² per net ton for sales of ½ ton or more	Per 100 lbs. for sales of less than ½ ton
Bituminous coal			
Producing District I:			
Nut, size group 1, rail shipped coal, price classification "A".....	\$5.08	\$5.40	\$0.35
Pea, size group 2, rail shipped coal, price classification "A".....	5.53	5.25	.35
Run-of-mine, size group 3, truck shipped coal, Little Pittsburgh and A, B, C, D, and E seams.....	4.68	4.40	.30

¹ Producers' "yard" sales are not governed by this order.

² On all strip mine coals prepared by a producer who qualifies by order under § 1340.212 (c) of Maximum Price Regulation No. 120, the maximum prices shall be the prices provided for underground mines in this schedule.

This Amendment No. 3 to Order No. G-51 shall become effective as of August 3, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18401; Filed, Oct. 3, 1945; 12:07 p. m.]

[Region II Order G-18 Under RMPR 122, Amdt. 12]

SOLID FUELS IN ROCHESTER AND MONROE COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

No. 196—6

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Broken, egg, stove, nut.....	\$15.70	\$8.15	\$0.90
Pea.....	13.50	7.05	.80
Buckwheat.....	10.60	5.60	.70
Rice.....	9.30	4.95	
Barley.....	8.35	4.50	
Screenings.....	4.85	2.45	

2. Paragraph (d) (2) is amended to read as follows:

(2) "Yard sales."

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton, for sales of ½ ton or more		Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
	To dealers for resale	To consumers	
Broken, egg, stove, nut.....	\$12.55	\$14.10	\$0.80
Pea.....	10.40	11.90	.70
Buckwheat.....	8.35	9.45	.60
Rice.....	7.40	8.50	
Barley.....	6.15		
Screenings.....	2.85		

3. Paragraph (d) (3) is amended to read as follows:

(3) "Sales of bagged coal" (maximum prices per bag).

MAXIMUM PRICES PER 50 LB. PAPER BAGS

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumers
Nut.....	\$0.495	\$0.545	\$0.595
Pea.....	.44	.49	.54

MAXIMUM PRICES PER 17 LB. PAPER BAGS

Size	Delivered at dealers' yards—		Delivered to retail stores	Sales to ultimate consumers
	To dealers	To consumers		
Nut.....	\$0.17	\$0.19	\$0.19	\$0.21

This Amendment No. 12 to Revised Order No. G-18 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued August 20, 1945.

LEO F. GENTNER,

Acting Regional Administrator.

[F. R. Doc. 45-18352; Filed, Oct. 2, 1945; 4:36 p. m.]

[Region II Order G-22 Under RMPR 122, Amdt. 2]

SOLID FUELS IN LANCASTER, LEBANON, BERKS, LEHIGH AND NORTHAMPTON COUNTIES, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-22 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$13.65	\$7.10	\$3.65	\$0.85
Pea.....	11.80	6.15	3.20	.75
Buckwheat.....	9.80	5.15	2.70	.65
Rice.....	8.75	4.65	2.45	.60
Barley.....	7.20	3.85	2.05	
Screenings.....	4.25	2.50		

2. Paragraph (d) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.....	\$12.65	\$6.60	\$3.40	\$0.75
Pea.....	10.80	5.65	2.95	.65
Buckwheat.....	8.80	4.65	2.45	.55
Rice.....	7.75	4.15	2.20	.50
Barley.....	6.20	3.35	1.80	
Screenings.....	3.25	1.65		

3. Paragraph (e) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$13.40	\$6.95	\$3.60	\$0.85
Pea	11.55	6.05	3.15	.75
Buckwheat	9.60	5.05	2.65	.65
Rice	8.40	4.45	2.35	.60
Barley	6.85	3.70	1.95	
Screenings	4.25	2.15		

4. Paragraph (e) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$12.40	\$6.45	\$3.35	\$0.75
Pea	10.55	5.55	2.90	.65
Buckwheat	8.60	4.55	2.40	.55
Rice	7.40	3.95	2.10	.50
Barley	5.85	3.20	1.70	
Screenings	3.25	1.65		

5. Paragraph (f) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$13.40	\$6.95	\$3.60	\$0.85
Pea	11.55	6.05	3.15	.75
Buckwheat	9.55	5.05	2.65	.65
Rice	8.50	4.50	2.40	.60
Barley	7.00	3.75	2.00	
Screenings	4.25	2.15		

6. Paragraph (f) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$12.40	\$6.45	\$3.35	\$0.75
Pea	10.55	5.55	2.90	.65
Buckwheat	8.55	4.55	2.40	.55
Rice	7.50	4.00	2.15	.50
Barley	6.00	3.25	1.75	
Screenings	3.25	1.65		

7. Paragraph (g) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$13.40	\$6.95	\$3.60	\$0.85
Pea	11.55	6.05	3.15	.75
Buckwheat	9.55	5.05	2.65	.65
Rice	8.45	4.50	2.35	.60
Barley	6.95	3.75	2.00	
Screenings	4.25	2.15		

8. Paragraph (g) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$12.40	\$6.45	\$3.35	\$0.75
Pea	10.55	5.55	2.90	.65
Buckwheat	8.55	4.55	2.40	.55
Rice	7.45	4.00	2.10	.50
Barley	5.95	3.25	1.75	
Screenings	3.25	1.65		

9. Paragraph (h) (1) is amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$13.55	\$7.05	\$3.65	\$0.85
Pea	11.70	6.10	3.20	.75
Buckwheat	9.60	5.05	2.65	.65
Rice	8.50	4.50	2.40	.60
Barley	7.00	3.75	2.00	
Screenings	4.25	2.15		

10. Paragraph (h) (2) is amended to read as follows:

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut.	\$12.55	\$6.55	\$3.40	\$0.75
Pea	10.70	5.60	2.90	.65
Buckwheat	8.60	4.55	2.40	.55
Rice	7.50	4.00	2.15	.50
Barley	6.00	3.25	1.75	
Screenings	3.25	1.65		

This Amendment No. 2 to Order No. G-22 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 20, 1945.

LEO F. GENTNER,
Acting Regional Administrator.[F. R. Doc. 45-18353; Filed, Oct. 2, 1945;
4:37 p. m.][Region II Order G-27 Under RMPR 122,
Amdt. 5]

SOLID FUELS IN DELAWARE

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-27 is amended in the following respects:

1. Paragraph (d) (1) and (d) (2) is amended by revising the prices of bituminous coal to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF SOLID FUELS OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton for sales of ½ ton or more
Bituminous coal from district No. 1 (underground mines):	
Egg or pea (double screened coal sold for domestic use)	\$10.33
Run-of-mine in price classification "A"	9.48
Run-of-mine in price classification "D" and "E"	8.93
2-inch lump in price classification "E"	9.13
Smithing coal	10.48
High volatile coal from District No. 3:	
2-inch nut and slack	8.68
Stoker pea (double screened)	8.68
High volatile coal from District No. 8:	
Cannel coal—Lump	18.85
Splint coal—Lump sold as fireplace coal	15.35

(2) "Yard sales".

FOR SALES OF SOLID FUELS OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of fuel	Per net ton for sales of ½ ton or more	To dealers for resale	To consumers
Bituminous coal from district No. 1 (underground mines):			
Egg or pea (double screened coal sold for domestic use)	\$8.33		\$8.83
Run-of-mine in price classification "A"	7.98		8.48
Run-of-mine in price classifications "D" & "E"	7.43		7.93
2" lump in price classification "E"	7.63		8.13
Smithing coal	8.98		9.48
High volatile coal from district No. 3:			
2" nut and slack	7.18		7.68
Stoker pea (double screened)	7.18		7.68
High volatile coal from district No. 8:			
Cannel coal—Lump	16.85		17.35
Splint coal—Lump sold as fireplace coal	13.35		13.85

This Amendment No. 5 to Order No. G-27 shall become effective August 3, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-18351; Filed, Oct. 2, 1945;
4:36 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1071]

THE NORTH AMERICAN CO.

MEMORANDUM OPINION AND ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of September 1945.

This is a further opinion of the Commission regarding the sale by The North American Company (North American) of 700,000 shares of common stock of Pacific Gas and Electric Company (Pacific). The sale was initially disapproved by us on May 23, 1945,¹ because of our finding that competitive conditions had not been maintained. As a consequence thereof, we were unable to find that the price and spread were reasonable. The history of this transaction prior to our order of May 23, 1945, and the details of the bidding on the original offering are set forth in full in our supplemental findings and opinion² issued June 18, 1945.

By our order of September 4, 1945,³ we permitted North American to reoffer this stock for sale at competitive bidding pursuant to the provisions of Rule U-50 and on September 17, 1945, the sale was approved by order⁴ without opinion.

The record discloses that subsequent to our order of May 23, 1945, James H. Fogarty, on behalf of The North American Company, indicated to C. E. Mitchell, of Blyth & Co., Inc., North American's intention to reoffer the 700,000 shares of Pacific stock at such time as an additional bidding group or groups had been formed. Fogarty testified also that he had conversations with J. S. McCain of Dillon, Read & Co., Inc., and with representatives of Lehman Brothers and The First Boston Corporation in an effort to create interest in the formation of additional bidding groups. The record shows, however, that only Blyth and Dillon Read made any attempts to form accounts.

Lee M. Limbert, the syndicate manager of Blyth, testified that upon entry of our order of May 23, 1945, he considered the former Blyth account to be dissolved. Because of numerous inquiries from members of that account, how-

ever, a letter was written to all members on June 14, 1945, formally dissolving the syndicate. Limbert testified that no action toward forming a new account was contemplated by his firm until such time as they might be given notice by North American of the formation of a competing group, since it was obvious that a reoffering would not be attempted until a competing account was in the field. Such notice was given by officials of North American on August 13, 1945. Blyth had, however, been aware that an account was being formed by Dillon Read and in response to inquiries from members of its former account, Blyth had expressed its interest in having a competing account formed and encouraged such firms to join the Dillon Read group if invited to do so.

Henry H. Egly, the syndicate manager of Dillon Read, testified that on July 26, 1945, after his firm had been requested by Fogarty to form an account to bid on the Pacific stock, invitations were sent to 67 houses to participate in such an account. 45 acceptances were received in response to these invitations. Feeling that the resulting group was not sufficiently strong to handle the business, Dillon Read then sent invitations to an additional list of underwriters. As a result, the bidding group of 82 firms was completed.

Upon receipt of notice from North American that the Dillon Read account had been completed, Blyth communicated with a list of underwriters approximately identical with that which had comprised its former account. In response to these invitations, acceptances were received from 112 firms.

As indicated in our order of September 17, 1945, North American received two bids for the 700,000 shares of Pacific stock, the Blyth group bidding \$38.85 per share and the Dillon Read group bidding \$38.961 per share. The proposal of the Dillon Read group was accepted by North American. The only difference in the terms of the first and second offerings lay in the reduction from 24 hours to three hours of the period between the opening of the bids and the time designated for securing the order of this Commission which would permit the public offering of the stock.

The successful bid in the present offering involved a spread of \$1.039 as compared with the spread of \$1.483 proposed by the former Blyth group in May. In addition, the Dillon Read bid contemplated a reoffering at the market price of \$40 per share which prevailed at the time bids were opened¹ whereas the earlier Blyth bid was predicated upon an offering at $\frac{1}{2}$ point off the market. The combined effect of the lower spread and the offering at the market price represents a saving to North American of

¹ Stabilizing operations were conducted by North American on the New York Stock Exchange, the Los Angeles Stock Exchange and the San Francisco Stock Exchange on the day on which bids were opened. A total of 600 shares were purchased in this manner by North American prior to the opening of the bids at noon, at which time stabilization was taken over by the underwriters.

\$0.569 per share, or a total of \$398,300,² as compared with the bid of the former Blyth group.

In line with our previous Finding that the size of the original Blyth group was excessive, it is interesting to note the testimony both of Limbert and Egly to the effect that their present syndicates, although distinctly smaller than the original Blyth group, contained underwriting and distributive strength in excess of the requirements of this offering. The Dillon Read group contained 29 members of the former Blyth account. These 29 firms had been allocated 199,000 shares of Pacific stock in the original Blyth syndicate, whereas their allocations in the Dillon Read group aggregated 423,000 shares. As to the new Blyth account, maximum participations amounted to 35,000 shares as contrasted with 25,000 shares in the previous offering and the remaining levels of participation were increased proportionately.

On the basis of the entire record, we are not satisfied that competition for the Pacific stock was limited by necessity to two underwriting groups; on the contrary, considering the size of the offering and the ready marketability of the securities, we believe that the free operation of competition might well have resulted in the formation of more than two bidding groups. However, we permitted the stock to be sold on the basis of our conclusion that the final bidding was as satisfactory as could be expected under present conditions in view of the inhibiting factors which were brought into play by the traditional ties implicit in the long history of the original Blyth account, as discussed in our earlier findings.

Fees and expenses. The reoffering of the Pacific stock has entailed certain increases, estimated by North American at \$36,750, in the fees and expenses. The expenses, including out-of-pocket expenses of Pacific arising from the proposed transaction, will be paid by North American, except the fee of counsel for the underwriters which will be paid by the successful bidder. Total estimated fees and expenses in connection with the entire transaction are shown below:

TABLE I

Registration fee.....	\$2,800
Printing of registration statement, prospectus, exhibits and other documents including temporary stock certificates.....	45,000
Transfer agents and registrars' fees and expenses.....	4,500
Fees of counsel for North American: Sullivan & Cromwell, New York.....	9,000
Chickering & Gregory, California.....	9,000
Fees of counsel for underwriters: Cahill, Gordon, Zachary & Reindel, New York.....	9,000
Orrick, Dahlquist, Neff, Brown & Herrington, California.....	9,000
Accountants' fees.....	13,250
Miscellaneous expenses.....	25,000
Total.....	128,550

² Changes in market levels since the original offering in May resulted in aggregate proceeds to North American greater by approximately \$1,500,000 than would have been the case had the transaction been consummated at the time of the first offering.

¹ Holding Company Act Release No. 5818.

² Holding Company Act Release No. 5870.

³ Holding Company Act Release No. 6027.

⁴ Holding Company Act Release No. 6053.

The fees and expenses in the amounts estimated do not appear unreasonable and we make no adverse findings with respect thereto. Accordingly, jurisdiction heretofore reserved by our former order over the legal fees will be released.

It is therefore ordered, That jurisdiction over the legal fees reserved by our order of September 4, 1945 (Holding Company Act Release No. 6027) be and the same is hereby released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18406; Filed, Oct. 3, 1945;
2:18 p. m.]

[File No. 70-1091]

ROCHESTER GAS AND ELECTRIC CORP.

INTERIM ORDER PERMITTING DECLARATION REGARDING SOLICITATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of October 1945.

Rochester Gas and Electric Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7, 12 (c), and 12 (e) thereof and Rules U-42, U-62 and U-65 promulgated thereunder; said declaration, as amended, concerning, among other things, the proposed reclassification of declarant's outstanding 120,000 shares of 6% preferred stock and 40,000 shares of 5% preferred stock into 160,000 shares of 4% preferred stock, and, in connection therewith, the retirement of 40,000 shares of such reclassified stock; and said declaration being further concerned with the proposed solicitation of proxies of declarant's preferred stockholders for use at the stockholders' meeting to be called for the purpose of voting upon said reclassification and retirement program, in which connection declarant proposes to engage Georgeson & Co. to solicit proxies and to pay it a fee of \$25,000; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, Pursuant to the applicable provisions of said Act, that said declaration, as amended, filed pursuant to section 12 (e) and Rules U-62 and U-65 thereunder, with respect to the proposed solicitation of proxies, be and hereby is permitted to become effective, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations; and

It is further ordered, That jurisdiction be, and hereby is, reserved over all other aspects of the proposed reclassification and requirement of declarant's preferred stock as provided in said declaration, as amended, including the payment of fees and expenses other than the proposed fee to Georgeson & Co., until such time as the action of the Public Service Commission of the State of New York shall

have been made a matter of record in this proceeding and this Commission shall have entered a further order herein.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18407; Filed, Oct. 3, 1945;
2:18 p. m.]

[File No. 70-1138]

AMERICAN UTILITIES SERVICE CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of October 1945.

American Utilities Service Corporation, a registered holding company, having filed a declaration, and amendments thereto, pursuant to sections 6 (a), 7 and 12 (d) of the Public Utility Holding Company Act of 1935, with respect to the issue and sale to Harris Trust & Savings Bank of a secured note in the principal amount of \$2,000,000, the proceeds of such note, together with treasury funds being used for the redemption and retirement of all of its 6% Collateral Trust Bonds, due November 1, 1964, presently outstanding in the principal amount of \$2,200,000, and with respect to the pledge of certain securities of its public utility subsidiaries; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18408; Filed, Oct. 3, 1945;
2:18 p. m.]

[File No. 1-921]

MARSH MINES CONSOLIDATED

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of October, A. D. 1945.

The Standard Stock Exchange of Spokane, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 25¢ Par Common Assessable Stock of Marsh Mines Consolidated;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and

having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on October 13, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18460; Filed, Oct. 4, 1945;
9:43 a. m.]

[File No. 1-2155]

MINNEAPOLIS AND ST. LOUIS RAILROAD CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of October, A. D. 1945.

In the matter of The Minneapolis and St. Louis Railroad Company, 4% First & Refunding Gold Bonds, due 1949, 5% Refunding & Extension Mortgage Bonds, Series A, due 1962, Iowa Central Railway Company 4% 50-Year First & Refunding Mortgage Bonds, due 1951, File No. 1-2155.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on October 13, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18461; Filed, Oct. 4, 1945;
9:44 p. m.]

[File No. 1-1125]

THE PHILADELPHIA AND READING COAL AND IRON CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of October, A. D. 1945.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5% Refunding Mortgage Sinking Fund Gold Bonds, due January 1, 1973, of The Philadelphia and Reading Coal and Iron Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on October 13, 1945.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-18462; Filed, Oct. 4, 1945;
9:44 a. m.]

[File No. 54-87]

FEDERAL LIGHT & TRACTION CO. ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER
FOR HEARING

At a regular sessions of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of October A. D. 1945.

In the matter of Federal Light & Traction Company, the Trinidad Electric Transmission, Railway & Gas Company, New Mexico Power Company, Stonewall Electric Company, J. G. White & Company, Inc., File No. 54-87.

Notice is hereby given that applications and declarations (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Federal Light & Traction Company (Federal), a subsidiary of Cities Service Power & Light Company, both registered holding companies, its subsidiaries, The Trinidad Electric Transmission, Railway & Gas Company (Trinidad), New Mexico Power Company (New Mexico), Stonewall Electric Company (Stonewall), and by J. G. White & Company, Inc. (White), a holding company exempt, pursuant to section 3 (a) (5) of the act, from all of the provisions thereof, which would require it to register thereunder.

All interested persons are referred to the aforesaid applications and declarations (or both) on file in the office of this Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

Federal proposes to sell and White proposes to acquire the entire outstanding capital stock of Trinidad, consisting of 20,000 shares of common stock, \$100 par value per share, for a cash consideration of \$790,000, subject to closing adjustments. Federal proposes to add the proceeds from said sale to its general funds and states that it is contemplated that proceeds will ultimately be used to retire its outstanding securities.

The aforesaid sale and acquisition is conditioned upon the prior consummation of the following transactions:

(a) New Mexico proposes to sell and Trinidad proposes to acquire all of the electric utility assets of New Mexico located in Colfax and Mora Counties, New Mexico, known as the Dawson Division of New Mexico (Dawson Division) for a cash consideration of \$526,101, subject to closing adjustments.

(b) It is proposed that Trinidad obtain the funds necessary to effectuate the acquisition of the Dawson Division by the issuance and sale to John Hancock Mutual Life Insurance Company, at not less than the principal amount thereof plus accrued interest, \$300,000 principal amount of its First Mortgage Bonds, 3½% Series due 1966, and by the issuance and sale to an unspecified lender of a 9-month promissory note in the face amount of \$207,000 bearing an interest rate of not more than 3% per annum.

(c) New Mexico proposes to apply the net proceeds from the sale of the Dawson Division to the purchase and retirement of a part of its First Mortgage Bonds, 3½% Series due 1966, applying \$300,000 thereof to the purchase of its bonds from John Hancock at 101% of principal amount plus accrued interest and the balance of such net proceeds to the purchase of its bonds at not more than the current redemption price of 104% of principal amount plus accrued interest, all such premiums and accrued interest to be paid out of other funds of New Mexico.

(d) Trinidad proposes to organize a new corporation under the laws of Colorado temporarily designated as X Corporation, all of whose capital stock (25 shares of \$100 par value each) is to be purchased for cash by Trinidad. Stonewall proposes to sell and X Corporation is to acquire, in consideration of the assumption by X Corporation of the obligations of Stonewall under the Mortgage Note and Mortgage Indenture, Agreement and Lease, and Option Agreement, all dated April 20, 1939, its Colorado property consisting of rural electric lines and other utility assets, which are interconnected with and are extensions of Trinidad's transmission and distribution lines, including the interest of Stonewall as Lessor under the Agreement and Lease between Stonewall and Trinidad and subject to the mortgage indebtedness secured by said property and the rights of Trinidad under the Option Agreement. It is further proposed that X Corporation be substituted for Stonewall with respect to an additional allotment of \$64,741 recently granted by the Rural Electrification Administration to construct additional rural electric lines in Colorado which will be connected with the electric facilities of Trinidad.

The filing has designated sections 6, 7, 9, 10, 12 (c), 12 (d), and 12 (f) of the act and Rules U-42, U-43, and U-44 as being applicable to the proposed transactions. It is stated in the filing that the proposed sale of the common stock of Trinidad by Federal and that the bonds and note proposed to be issued by Trinidad are considered exempt from the competitive bidding requirements of Rule U-50.

Federal and its subsidiaries request that the Commission find that the transactions proposed herein are appropriate to effectuate the provisions of section 11 (b) of the act and ask that any order approving the proposed transactions contain the recitals, specifications and itemizations described in sections 371 (b), 371

(f), and 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said applications or declarations (or both) shall not be granted or be permitted to become effective except pursuant to further order of the Commission.

It is ordered, That a hearing on said matters under the applicable provisions of the Act and the Rules of the Commission thereunder be held on October 16, 1945, at 10:00 a. m., e. s. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. Any person proposing to be heard or otherwise to participate in these proceedings shall file with the Secretary of the Commission on or before October 12, 1945, a written request relative thereto as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen McCullen, or any other officer or officers of this Commission designated by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions are in furtherance of, and not inconsistent with, the Order of this Commission dated August 17, 1943 and are necessary to enable Federal to comply with the provisions of section 11 (b) of the act.

2. Whether the consideration to be received by Federal and paid by White is reasonable and bears a fair relation to the sums invested in and to the earning capacity of the assets underlying the securities proposed to be sold and acquired.

3. Whether the proposed acquisition by White will serve the public interest by tending toward the economical and efficient development of an integrated public utility system and whether said proposed acquisition will be detrimental to the carrying out of the provisions of section 11.

4. Whether the terms and conditions of the proposed transactions between the affiliated companies of Federal, including the considerations to be paid and received are detrimental to the public interest or to the interest of investors or consumers.

5. Whether the securities proposed to be issued and sold by Trinidad meet the requirements of section 7 of the act.

6. Whether, in connection with the proposed sales, there has been maintenance of competitive conditions.

7. Whether the accounting entries to be made in connection with the proposed transactions are proper and in accordance with sound accounting principles.

8. Whether the fees, commissions or other remunerations to be paid in connection with the proposed transactions are fair and reasonable.

9. Whether it is necessary or appropriate to impose terms and conditions in the public interest or for the protection of investors or consumers, and, if so, what terms and conditions should be imposed.

10. Generally, whether the proposed transactions comply with all of the provisions and requirements of the act and the rules and regulations promulgated thereunder.

It is further ordered, That notice of said hearing is hereby given to the applicants and declarants and to all other persons; said notice to be given to Federal Light & Traction Company, The Trinidad Electric Transmission, Railway & Gas Company, New Mexico Power Company, Stonewall Electric Company, J. G. White & Company, Inc., the New Mexico Public Service Commission and the Federal Power Commission, by registered mail, and to all other persons by general release of this Commission, distributed to the press and mailed to the mailing list for releases issued under the act, and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-18463; Filed, Oct. 4, 1945;
9:44 a. m.]

[File No. 70-1152]

CITIES SERVICE POWER & LIGHT CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of October, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935, by Cities Service Power & Light Company (Power & Light), a registered holding company.

Notice is further given that any interested party may, not later than October 8, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration, as filed or as amended, may be granted and permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the offices of the Commission, for a statement of the transaction therein proposed,

which may be summarized as follows:

Power & Light issued Bank Loan Notes in the aggregate principal amount of \$20,000,000, of which \$6,000,000 were designated as "Series A" Notes, planned to be retired serially at the rate of \$1,000,000 semi-annually and \$14,000,000 were designated as "Series B" Notes, planned to be retired out of the sales of pledged securities, pursuant to a Loan Agreement dated January 5, 1944. The issuance of the aforesaid Bank Loan Notes was authorized by the Order of this Commission dated March 14, 1944 (Holding Company Act Release No. 4944).

Power & Light states, that on September 15, 1945, the aforesaid Bank Loan Notes had been reduced to an aggregate principal amount of \$5,871,376.34 consisting of \$3,000,000 of "Series A" Notes and \$2,871,376.34 of "Series B" Notes. Power & Light proposes to obtain a reduction in the interest rate on the \$3,000,000 balance of "Series A" Notes from 2¾% to an annual rate of 1½%, to become effective from September 15, 1945 and has, subject to the approval of this Commission, entered into an agreement with the holders of the Bank Loan Notes to effectuate this purpose.

Power & Light states that expenses and fees of the proposed transaction are estimated at \$1,200.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-18464; Filed, Oct. 4, 1945;
9:44 a. m.]

[File No. 55-14]

MIDLAND UTILITIES CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of October 1945.

In the matter of Jay Samuel Hartt, trustee of the estate of Midland Utilities Company, file No. 55-14.

The Commission having, on February 25, 1939, upon the application of Jay Samuel Hartt, a co-trustee of the Estate of Midland Utilities Company, a registered holding company, filed pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 and Rule U-11F-2 then promulgated thereunder, entered an order wherein, among other things, the trustees of Midland Utilities Company were permitted to pay to Elbridge Lennon Lord in full payment for all fees, expenses and remuneration for services as principal accountant for the Trustees of Midland Utilities Company a maximum amount not to exceed \$450 per month; and

The said Elbridge Lennon Lord having filed an application with the District Court of the United States for the District of Delaware, the reorganization court in which Midland Utilities Company is undergoing reorganization pursuant to section 77B of the Bankruptcy Act, for an allowance of an amount of \$15,325 above the maximum amount per-

mitted by the Commission's order of February 25, 1939;

Notice is hereby given that the said Elbridge Lennon Lord has filed a declaration or application (or both) with this Commission requesting that the Commission rescind or amend that portion or portions of its aforesaid order of February 25, 1939 which limited the allowance said Elbridge Lennon Lord might receive for services rendered the Estate of Midland Utilities Company; or, in the alternative, enter an order withdrawing the restriction of the maximum allowance which might be paid the said Elbridge Lennon Lord, in order that the said Elbridge Lennon Lord might properly request the said District Court of the United States for the District of Delaware to grant him an allowance in an amount greater than the maximum amount fixed by the aforesaid order of February 25, 1939.

Notice is further given that any interested person may, not later than October 19, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-18465; Filed, Oct. 4, 1945;
9:44 a. m.]

[File No. 59-76, 54-126]

EASTERN GAS AND FUEL ASSOCIATES

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of October, A. D. 1945.

Eastern Gas and Fuel Associates ("Eastern"), a registered holding company, having filed an application under section 11(e) of the Public Utility Holding Company Act of 1935 for approval of a plan of recapitalization for the purpose of bringing the capital structure of the company into compliance with the provisions of section 11 (b) (2) of the act;

The Commission having consolidated the proceedings in respect of said plan with proceedings heretofore instituted by the Commission under section 11 (b) (2) of the act with respect to Eastern; and hearings having been held in such consolidated proceedings, (Holding Company Act Release No. 5877) and having been continued to October 9, 1945 at 10:30 a. m., E. s. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

Certain interested persons having requested that said continued hearing be

postponed from October 9 to November 13, 1945, and the Commission having been advised that Eastern joins in such request; and

The Commission having considered such request and deeming it appropriate that it be granted:

It is ordered, That the hearing in this matter heretofore scheduled to reconvene on October 9, 1945 be, and hereby is, postponed to November 13, 1945 at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18466; Filed, Oct. 4, 1945;
9:45 a. m.]

[File 54-130]

INTERSTATE POWER COMPANY

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of October, A. D., 1945.

I. Notice is hereby given that Interstate Power Company ("Interstate"), a registered holding company and a subsidiary of Ogden Corporation ("Ogden"), also a registered holding company, has filed applications and declarations pursuant to section 11 (e) and other applicable sections of the Act proposing a recapitalization plan for the purpose of enabling Interstate to comply with section 11 (b) of the act.

All interested persons are referred to said plan, which is on file in the office of the Commission, for a full statement of the transactions proposed therein, which may be summarized as follows:

Interstate is an electric and gas utility company, operating in Iowa, Minnesota and South Dakota. It is also a holding company owning all of the outstanding securities of Interstate Power Company of Wisconsin, an electric utility company operating in Wisconsin, and East Dubuque Electric Company, an electric utility company operating in Illinois.

The following tabulation shows the presently outstanding securities of interstate and their ownership by Ogden and by others:

	Principal amount or shares outstanding	Owened by Ogden	Owened by others
1st mortgage 5% bonds, due 1957	\$26,035,000		\$26,035,500
6% debentures	7,500,000	\$100	17,499,900
6% demand note	2,475,000	2,475,000	
\$7 cum. pfd. stock, no par value	72,500	3,108	263,392
\$6 cum. pfd. stock, no par value	47,500	9,461	38,039
Common stock, no par value	175,000	175,000	

¹ Includes \$272,000 principal amount owned by Atlas Corporation, the owner of approximately 76% of Ogden's outstanding common stock.

² Includes 2,340 shares owned by Atlas Corporation.

³ Includes 250 shares owned by Utilities Elkhorn Coal Company, a subsidiary of Ogden, and 156 shares owned by Atlas Corporation.

The first mortgage bonds and debentures are currently redeemable at 102. All interest on the first mortgage bonds, debentures and demand note of Interstate has been paid regularly. Pursuant to an agreement dated June 20, 1941, all interest received by Ogden since that date on the demand note has been deposited by Ogden in escrow with Manufacturers Trust Company. The agreement provides that such funds shall be held intact until all questions of validity and rank of the demand note shall have been passed upon by this Commission and any court having jurisdiction. As at June 30, 1945, the amount escrowed was \$618,750. Prior to June 20, 1941, Ogden received payments of interest on the demand note aggregating \$222,750.

The preferred stocks are entitled to \$100 per share and accrued dividends in involuntary liquidation, and rank on a parity with each other. No dividends have been paid on the preferred stocks since December 20, 1933. Dividend arrears, at June 30, 1945, amounted to \$6,430,025, or \$88.69 per share, on the \$7 preferred stock, and \$3,610,950, or \$76.02 per share, on the \$6 preferred stock.

The plan provides for the following:

(1) Interstate will have a new capital structure consisting of \$19,000,000 principal amount of new first mortgage bonds and 3,000,000 shares of new common stock of the par value of \$3.50 per share.

(2) The validity, extent, and rank of the indebtedness of Interstate to Ogden represented by the \$2,475,000 demand note and the \$100 debenture held by Ogden and the relative rights of Ogden with respect to the 12,569 shares of Interstate's preferred stocks held by Ogden will be determined by the Commission.

(3) The new first mortgage bonds will be sold pursuant to competitive bidding.

(4) Such number of the 3,000,000 shares of new common stock will be sold pursuant to competitive bidding as may be necessary to raise funds sufficient, when added to the proceeds of the sale of the new bonds, for the following purposes:

(a) Reimbursement of the treasury or discharge of obligations of the company up to an amount not exceeding \$1,500,000 for new construction completed or in progress prior to the effective date of the plan.

(b) Payment and discharge at the principal amount thereof, but without payment of any redemption premium, of the \$26,035,500 principal amount of presently outstanding first mortgage bonds.

(c) Payment and discharge at the principal amount thereof, but without payment of any redemption premium, of the \$7,500,000 principal amount of presently outstanding 6% debentures, except the \$100 debenture held by Ogden, and payment of the amount of debt, including interest, determined by the Commission to be owing to Ogden with respect to the demand note and the debenture held by it.

(5) The entire balance, if any, of the 3,000,000 shares of new common stock remaining unsold will be distributed to the holders of the preferred stocks as may be determined by the Commission (including Ogden to the extent permitted by such determination). Such distribu-

tion will be made on a basis which will accord different treatment to the two classes of preferred stock in accordance with their respective rights as to dividends.

(6) The present common stock of Interstate will be surrendered for cancellation upon the effective date of the plan.

(7) As of the effective date of the plan, the excess of the cost to Interstate of utility plant over the original cost thereof will be written off.

The filing further states that Interstate is advised that it is the position of Ogden that the demand note held by Ogden ranks equally with Interstate's debentures, that said demand note is entitled to receive the same treatment as that accorded to the debentures and that the shares of the preferred stocks of Interstate held by Ogden rank par passu with all other shares of the preferred stocks of Interstate and are entitled to receive the same treatment as such other shares.

It is further proposed that upon the entry by the Commission of an order or orders approving the plan, the Board of Directors of Interstate will request the Commission pursuant to section 11 (e) of the act to apply to a court of competent jurisdiction to enforce and carry out the terms of the plan.

II. On May 20, 1943, the Commission entered an order (1) directing, among other things, pursuant to section 11 (b) of the act, that Interstate shall take such steps as may be necessary to recapitalize so as to distribute voting power fairly and equitably among its security holders, and (2) approving, pursuant to section 11 (e) of the act, a plan filed by Ogden and certain of its subsidiaries which provided, among other things, that Interstate would be recapitalized (Holding Company Act Release No. 4307).

III. It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to the plan filed by Interstate herein;

It is ordered, That a hearing in respect of this matter under the applicable provisions of the act and the rules of the Commission thereunder be held on October 24, 1945, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted by the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by the plan filed herein, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the plan, as proposed, or as it may hereafter be modified, is necessary to effectuate the provisions of section 11

(b) of the act and is fair and equitable to the persons affected thereby;

2. The manner and circumstances under which Ogden and its predecessor company, Utilities Power & Light Corporation, acquired the demand note of Interstate;

3. The manner and circumstances under which Ogden and its predecessor company, Utilities Power & Light Corporation, acquired the debenture and the preferred stocks of Interstate owned by Ogden;

4. The rank and participation which should be accorded Ogden in the recapitalization of Interstate in consideration of the demand note, debenture and preferred stocks owned by Ogden; and specifically whether such securities held by Ogden should be subordinated in whole or in part to, or otherwise not be permitted to participate on a parity with, the securities of Interstate held by the public;

5. Whether the funds escrowed with Manufacturers Trust Company, representing interest payments on the demand note of Interstate owned by Ogden, should be turned over to Ogden, and, if not, what disposition should be made of such funds;

6. Whether Interstate or any of its security holders as such have any valid claims against Ogden;

7. Whether the securities to be issued by Interstate in connection with the proposed plan are reasonably adapted to the security structure and earning power of Interstate and otherwise conform to the applicable standards of the act, and whether any terms and conditions should be imposed in connection therewith;

8. Whether in regard to the proposed retirement of the first mortgage 5% bonds and the 6% debentures of Interstate, the respective redemption premiums should be paid;

9. Whether the plan as filed, or as modified, makes appropriate provision for the payment of expenses, fees and remuneration in connection with the recapitalization of Interstate, in what amounts such expenses, fees, and remuneration should be paid, and the fair and equitable allocation thereof;

10. Whether the accounting entries proposed to be made in connection with the plan are proper and in accordance with sound accounting principles;

11. Generally, whether the plan and all proposed transactions incidental thereto are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and if not, what modifications and what terms and conditions should be required or imposed to satisfy the statutory standards;

12. Whether, in the event that the Commission shall approve the plan as filed or as modified, the Commission shall approve said plan for purposes of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission of its own motion and irrespective of any request therefor on the part of Interstate to apply to a court for the enforcement of the plan pursuant to section 11 (d) of the act; and

13. Whether in the event that the Commission shall not approve the plan as filed or as modified, a plan proposed by the Commission or by any person having a bona fide interest in the recapitalization of Interstate should be approved by the Commission for purposes of section 11 (d) of the act, and, if proposed by the Commission, what the terms and provisions of such plan should be.

Notice is hereby given of said hearing to Interstate, to The Chase National Bank of the City of New York, Trustee of Interstate's First Mortgage 5% Bonds and 6% Debentures, and to all interested persons, said notice to be given to Interstate and The Chase National Bank of the City of New York by registered mail, and to all other persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is further ordered, That Interstate shall give additional notice of said hearing to all of its security holders (insofar as the identity of such security holders is known to it) by mailing to each of said persons a copy of this notice and order at his last known address at least fifteen days prior to the date of said hearing;

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in the proceedings, shall file with the Secretary of the Commission on or before October 22, 1945, his application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18467; Filed, Oct. 4, 1945;
9:45 a. m.]

[File No. 59-20, 59-8, 54-75]

COMMONWEALTH & SOUTHERN CORP.
(DEL.), ET AL.

NOTICE OF REARGUMENT ON VOTING PROVISIONS IN RECAPITALIZATION PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 2d day of October, A. D. 1945.

In the matter of The Commonwealth & Southern Corporation (Delaware), respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware), File No. 54-75.

The Commonwealth & Southern Corporation, a registered holding company, having filed a plan of recapitalization, and amendments thereto, under section 11 (e) of the Public Utility Holding Company Act of 1935; hearings having been held after appropriate notice; and the Commission having issued its findings and opinion on May 31, 1945 finding that certain modifications would be necessary before said plan could be approved pursuant to section 11 (e) of said act;

The Commonwealth & Southern Corporation having thereafter filed an amended plan dated as of June 14, 1945, and the Commission having on June 30, 1945 issued its supplemental findings, opinion and order approving the plan as amended; said plan having provided; among other things, that the Commission should apply to an appropriate Federal District Court for an order approving and enforcing the plan pursuant to sections 11 (e) and 18 (f) of the act provided that the plan shall first have received the affirmative vote of the holders of a majority of each class of stock of The Commonwealth & Southern Corporation voting at a meeting held for the purpose of voting on the plan;

The Commission having in its order of June 30, 1945 retained jurisdiction, among other things, to entertain such further proceedings, to make such supplemental findings and to take such further action as the Commission may deem appropriate in connection with the plan, the transactions incident thereto, and the consummation thereof;

It appearing to the Commission that substantial time has elapsed since the issuance of its order of June 30, 1945 without the vote of stockholders provided for in the plan having been secured and without arrangements having been completed for securing such vote of stockholders, and that it is appropriate in the public interest and in the interest of investors and consumers that the Commission reconsider its order approving the plan insofar as said plan makes provision for a vote of stockholders thereupon and hear oral argument as to whether or not the Commission should withdraw its order of June 30, 1945 and should approve said plan under section 11 (e) of the act if amended by The Commonwealth & Southern Corporation to eliminate the said provision for a vote of stockholders, or, if not so amended, the Commission should approve a plan as modified to eliminate the said provision for a vote of stockholders under section 11 (d) of the act.

It is hereby ordered, That oral argument be held on the 12th day of October, 1945 at 11:00 a. m. on the questions as to whether or not the Commission should withdraw its order of June 30, 1945 and, if said order should be withdrawn, whether or not the Commission should issue in lieu of said order of June 30, 1945 an order approving said plan under section 11 (e) of the act if amended by The Commonwealth & Southern Corporation to eliminate the said provision for a vote of stockholders or, if not so amended, the Commission should approve the plan as modified to eliminate the said provision for a vote of stockholders upon the plan under section 11 (d) of the act.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to each of the participants in this proceeding, and that notice thereof shall be given to all other persons by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-18468; Filed, Oct. 4, 1945;
9:45 a. m.]